

REFERENCE MATERIAL

FOR

APPLICATION

**CHILDREN'S RESIDENTIAL
PROGRAM**

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3-0325 GUIDELINES FOR PROCESSING APPLICATIONS**3-0325**

The procedures contained in this section were developed to ensure statewide consistency in the processing of applications, from the point of acceptance to the approval process. These guidelines replace any individual office practices.

Although the application process starts when an individual attends the Component I Orientation Session, the actual processing time does not begin until an application is submitted to the Regional Office. An application should be accepted or rejected by the Regional Office within five working days of receipt. The application is reviewed to ensure that all Section A and B documents have been submitted and are complete. An application should be accepted when all Section A forms and B documents have been received. However, in order to prevent unnecessary delays in the application process, an application should be accepted when all of Section A forms and no more than two B documents are missing or incomplete. The Notification of Incomplete Application (LIC 184), should be sent to the applicant, outlining which B documents are incomplete or missing. This notification should be sent the same day the application is accepted. The applicant should be advised to bring the one or two missing B documents to the face-to-face interview.

Once the application is accepted, a credit report is required to be obtained for all facility types. Each residential office has an account with a credit bureau that allows the Licensing Program Analyst to obtain a credit report on the applicant(s). Credit Reports on individual applicants are obtained from CBC Innovis which provides us with reports from TransUnion, Experian and Equifax. Corporate Business Reports are obtained from screeningONE, Inc. and they are from the Experian Credit Bureau. Corporate Business Reports should only be requested on Corporations and Limited Liability Companies that have been in existence for at least a year. ScreeningONE, Inc. will not have any information on newly formed Corporations or Limited Liability Companies as they have no financial history. The Articles of Incorporation will indicate the date of incorporation. Guides for reading both the individual and corporate credit report information may be obtained from these companies’ websites.

The Fair Credit Reporting Act is very strict regarding the usage of credit reports. **Be aware that the Community Care Licensing Division is only permitted by the Fair Credit Reporting Act to request a credit report on an individual who has signed the application, excluding corporate officers.** For corporations and Limited Liability Companies, a credit report will be obtained on the corporation or Limited Liability Company only (NOT on the corporate officers or principals of the Limited Liability Company). If the applicant is a limited partnership, the Licensing Program Analyst will only request a credit report on the general partners.

It is important for users to understand their responsibility and the law with regard to credit reports. The credit report information is sensitive and to be filed in the CONFIDENTIAL information section of the facility file.

The Fair Credit Reporting Act provides that any person who knowingly or willfully obtains information via the credit report under false pretense is subject to a fine of not more than \$5,000 or imprisonment of up to one year.

3-0325 GUIDELINES FOR PROCESSING APPLICATIONS (Continued)**3-0325**

Additionally, the Community Care Licensing Division is required to provide written notice to the applicant when the denial of the application, in whole or part, is the result of information contained on their credit report. For adverse actions involving decisions about a license, the notification must include the following:

- The name, address, and toll-free telephone number of TransUnion, Experian or Equifax, whichever company provided the report. TransUnion’s toll free number is 800-916-8800; Experian’s number is 888-397-3742 and Equifax’s number is 800-685-1111.
- A statement that TransUnion, Experian or Equifax did not make the adverse decision and is not able to explain why the decision was made.
- A statement setting forth the applicant’s/licensee’s right to obtain a free disclosure of his/her file from the credit bureau if the applicant/licensee requests the report within 60 days.
- A statement setting forth the applicant’s/licensee’s right to dispute directly with the credit bureau the accuracy or completeness of any information provided by the credit bureau.

If you believe the information contained on the credit report may result in a denial of license, contact the Audit Section for assistance in making this decision and ensuring the rights of the applicant are protected.

The “Consumers Rights” enclosure is found at the end of this section 3-0325.

Within ten calendar days of acceptance of the application, the face-to-face interview must be scheduled. If there are any incomplete or outstanding application forms, the applicant should be reminded to bring the documents to the face-to-face. The interview is to be conducted within 30 calendar days from the date the letter scheduling the interview is mailed to the applicant.

Prior to the face-to-face interview, the Licensing Program Analyst should review the application thoroughly utilizing the Section A and B Guidelines. Any required verifications or research of discrepancies or concerns involving the credit report should be done at this time.

KEY AREAS TO LOOK FOR ON A CREDIT REPORT

- **Past Due Accounts:** Applicants/Licensees must bring these accounts current or provide a financial plan to correct the problem.
- **Tax Liens/Collection Accounts:** Applicants/Licensees must obtain either a release of lien from the taxing agency, present a repayment plan from the agency that indicates the applicant/licensee is cooperating and current with the plan or obtain a letter from the credit bureau or taxing agency indicating there is nothing owed.

3-0325 GUIDELINES FOR PROCESSING APPLICATIONS (Continued)**3-0325**

- **Delinquent Child Support Payments:** Applicants/Licensees must deliver a proof of correction from the agency handling the child support case. All back payments must be brought current. A plan for repayment is acceptable, only if approved by the District Attorney.
- **Bankruptcies:** Applicants/Licensees must disclose the current status of the bankruptcy. The court will review the bankruptcy request and will either discharge the debts, dismiss the bankruptcy or give partial relief and establish a plan for repayment. If the debts have been discharged (relief granted) by the Chapter 7 bankruptcy, then we are only concerned with the debts that remain. If the bankruptcy court dismisses the debts in Chapter 7, then no relief was granted. If there is a Chapter 11 Reorganization Plan established by the bankruptcy court, an applicant must be current with the plan. We cannot conclude that the applicant has an adequate financial plan if the court has not decided whether to Dismiss, Discharge or Reorganize the applicant’s debts. It is recommended you consult with the Audit Section if the applicant’s credit report indicates there is a bankruptcy.
- **Accurate Disclosure of Debts on Balance Sheet (LIC 403A):** Ensure the information reported by the applicant on the LIC 403A includes the debts as reflected on the credit report. Typically there will be some minor differences; however, the applicant should have reported the significant liabilities (anything over \$1,000) on the Balance Sheet (LIC 403A). Otherwise, the applicant may be providing information which could be considered to be false and misleading.

Should any discrepancies or concerns be encountered in evaluating a credit report, contact the Audit Section for assistance.

The face-to-face interview is to be conducted as outlined in Reference Material, Conducting Face-to-Face Interview, Section 3-0575. While the applicant is in the office, the pre-licensing visit should be scheduled. The Licensing Program Analyst should also verify that the applicant is signed up for Component III.

Once the above requirements have been met and all outside clearances have been received (refer to Reference Material, Application Follow-Up Activities, Section 3-0569), the Licensing Program Analyst should be ready to approve or deny the application. The time frames for the entire application process should range from 45 to 90 days. In addition, there is a statutory requirement to process additional applications for existing licensees within 60 days after submission of a complete application. Any pending application that cannot be approved or denied within 90 days should be brought to the attention of the Licensing Program Manager.

The following document is available at the Federal Trade Commission website at www.ftc.gov/sites/default/files/documents/one-stops/credit-reporting/pdf-0096-fair-credit-reporting-act.pdf.

3-0325**GUIDELINES FOR PROCESSING APPLICATIONS (Continued)****3-0325**

**A Summary of Your Rights
Under the Fair Credit Reporting Act**

The federal Fair Credit Reporting Act promotes the accuracy, fairness, and privacy of information found in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the Fair Credit Reporting Act. **For more information, including information about additional rights, go to www.ftc.gov/credit or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
 - a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days. In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.ftc.gov/credit for additional information.
- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.ftc.gov/credit for an explanation of dispute procedures.

3-0325**GUIDELINES FOR PROCESSING APPLICATIONS (Continued)****3-0325**

- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The Fair Credit Reporting Act specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.ftc.gov/credit.
- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the Fair Credit Reporting Act, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit www.ftc.gov/credit.

3-0325 GUIDELINES FOR PROCESSING APPLICATIONS (Continued)**3-0325**

States may enforce the Fair Credit Reporting Act, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General.

Federal enforcers are:

TYPE OF BUSINESS:	CONTACT:
Consumer reporting agencies, creditors and others not listed below	Federal Trade Commission Consumer Response Center – Fair Credit Reporting Act Washington, DC 20580 877-382-4357
National banks, federal branches/agencies of foreign banks (word “National” or initials “N.A.” appear in or after bank’s name)	Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219 800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Consumer Help (FRCH) P.O. Box 1200 Minneapolis, MN 55840 888-851-1920 Website: www.federalreserveconsumerhelp.gov Email: ConsumerHelp@FederalReserve.gov
Savings associations and federally chartered savings banks (word “Federal” or initials “F.S.B.” appear in federal institution’s name)	Office of Thrift Supervision Consumer Complaints Washington, DC 20552 800-842-6929
Federal credit unions (words “Federal Credit Union” appear in institution’s name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 703-519-4600
State-chartered banks that are not members of the Federal Reserve System)	Federal Deposit Insurance Corporation Consumer Response Center 2345 Grand Avenue, Suite 100 Kansas City, Missouri 64108-2638 877-275-3442
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation Office of Financial Management Washington, DC 20590 202-366-1306
Activities subject to the Packers and Stockyards Act, 1921	Department of Agriculture Office of Deputy Administrator – GIPSA Washington, DC 20250 202-720-7051

3-0330 THREE COMPONENT ORIENTATION PROCESS**3-0330****GENERAL STATEMENT**

The licensing application is facilitated by a three-component orientation and application process. Flexibility is allowed in the order in which Components II and III are completed. An orientation fee will be charged to the applicant (Health and Safety Code Section 1523.1).

The Licensing Program Analyst should allow approximately 4 to 6 hours for Component I category-specific sessions, approximately 1½ to 3 hours for Component II (the face-to-face interviews) and approximately 3 to 4 hours for Component III.

When individuals call to sign up for Component I, advise that they will be required to show photo identification at this component as well as for Components II and III. Also advise the individual that their administrator/director (if not the applicant) is also required to attend all three sessions and must also bring photo identification.

If an existing licensee is applying for an increase in capacity only or changing the facility location, that individual does not have to attend or repeat the three components.

COMPONENT I – ORIENTATION SESSION

A category-specific orientation session which includes an overview of the licensing program, including the laws which govern the program’s inspection and enforcement authority, a description of facility types and a discussion of client populations, a brief explanation of compliance, monitoring and administrative issues and a complete review of the application process, the A and B Guidelines and corresponding regulations.

For Limited Liability Companies, a managing member or a manager of the Limited Liability Company must attend in addition to the individual facility administrator. The managing member or manager must be authorized to act on behalf of the limited liability company. Such authority must be stated in either the operating agreement for the limited liability company or in a written delegation of authority by the person or persons authorized in the operating agreement to delegate their authority to act on behalf of the limited liability company.

3-0330 THREE COMPONENT ORIENTATION PROCESS (Continued)**3-0330****COMPONENT II – Face-To-Face Interview**

A face-to-face interview, to discuss the application packet and process and to ensure that the applicant and designated administrator or director understands and is capable of providing the services outlined in the facility program submitted. In the case of corporate applicants, the President of the Board or the Chief Executive Officer and the administrator/director will participate in the interview. If the President or Chief Executive Officer is unable to attend, the responsibility must be delegated in writing by Board Resolution or a letter from the Chief Executive Officer to an individual that is an executive or officer within the corporation. If the applicant is a limited liability company, a managing member or manager must attend in addition to the on-site administrator/director. If the applicant is a public corporation, the Superintendent of Schools, a member of the School Board, a representative of the City or County Managers Office, or a member of the City or County Board of Supervisors, may designate a representative and he or she may attend as the applicant (California Code of Regulations, Title 22, Section 80018). The individual designated cannot be the on-site administrator/director. This interview is conducted after submission of a **completed application (Section A and B)**, and before the pre-licensing inspection, unless the applicant is not ready for the pre-licensing inspections, in which case they may attend Component III prior to Component II.

COMPONENT III – Category-Specific Orientation/Training

A category-specific session on continuing requirements and regulation review, with an emphasis on the facility operation and commonly found problem areas. This session will provide the soon-to-be licensee with sufficient information to operate the facility within substantial compliance, as well as how to avoid common problem areas or pitfalls of a facility operation.

In most instances, the initial orientation (Component I) and the category-specific regulation review (Component III) will be scheduled and conducted for individual facility categories. Component I and Component III sessions should be scheduled once a month, or as needed, depending on the number of applications received. Typically, an applicant does not attend Component III until he/she has attended Component I, a face-to-face interview has been conducted, and a pre-licensing inspection has been done. However, the pre-licensing inspection can be scheduled at a later time if necessary; an example would be if the physical plant is not ready for a pre-licensing inspection.

The Licensing Program Analyst should schedule the applicant for a pre-licensing inspection and a Component III session during the face-to-face interview, if the applicant is ready for the pre-licensing inspection.

3-0335 LICENSING PROGRAM ANALYST PROTOCOL DURING THE ORIENTATION PROCESS**3-0335**

The applicant’s first interaction and impression of the licensing agency will be with the Licensing Program Analyst who provides the Component I Orientation session. It is important for the Licensing Program Analyst to represent the Department in a professional and courteous manner. The Licensing Program Analyst should set a positive tone during the meeting and encourage participants to ask questions if they do not understand or need something repeated. A positive atmosphere is conducive to learning and during the session, the Licensing Program Analyst provides the participants with valuable information and instructions.

Throughout the orientation and application process, the role of the Licensing Program Analyst is to assist the applicant and ensure that the applicant understands the entire process.

3-0340 COMPONENT I: ORIENTATION SESSION**3-0340**

The following outlines and list of handouts are to be used by all Regional Offices. There should be no deviation from this standardized format or handouts.

Provide general and category-specific handouts:

- General Regulations
- Category-Specific Regulations
- LIC 9200 – Pre-Licensing Facility Evaluation Checklist
- LIC 9092 – Fire Pre-inspection/Consultation Request
- Category-Specific Application Booklet
- Licensing Fee Letters
- LIC 9054 – Local Fire Inspection Authority Information (if not included in Application Booklet)
- LIC 281C – Orientation/Application Process Certificate of Completion
- LIC 9106 – Group Home Program Statement General Instructions
- LIC 9106A – Short-Term Residential Therapeutic Program (STRTP) Statement General Instructions
- LIC 9128 – Foster Family Agency Program Statement

3-0345 I. OPENING THE SESSION**3-0345**

- A. Have each attendee sign in on the Orientation Meeting Tally sheet (LIC 186) prior to starting the session. This attendance sheet is for use by the licensing agency only. Copies of this list should not be released to outside agencies.
- B. Introduce yourself, identify the Regional Offices, address and telephone number.
- C. Take care of “housekeeping” items – (i.e., time frame, break time, location of restrooms, etc.).
- D. Advise the group that the orientation meeting is designed to acquaint them with laws and regulations governing facilities licensed by the Community Care Licensing Division and provide them with information that will result in a complete application being submitted to the licensing agency.
- E. Request that the group ask general licensing questions as issues come up, but to refrain from asking case specific questions due to time constraints. Explain that those who submit an application will be assigned to a Licensing Program Analyst who will assist them with processing the application.
- F. Advise the group that once their application has been accepted, a credit report on all applicants is obtained to test the accuracy of the financial statements submitted. The Department has the responsibility to ensure the applicant has an adequate financial plan. In fulfilling our responsibility, the Department obtains credit reports on all applicants. Common to four separate licensing acts that the Community Care Licensing Division enforces is the requirement that an applicant provide evidence satisfactory to the Department that they have sufficient financial resources to maintain the standards of service required in regulation.
- G. Completing the financial statements accurately, will help to speed their application through the process. Conversely, a financial statement which attempts to conceal financial problems would receive greater scrutiny by the Licensing Program Analyst.
- H. Advise the group of the other components of the orientation/application process. Go into detail regarding the specific requirements of each component and emphasize that this is a screening process and only qualified individuals will be approved for licensure.
- I. Advise that an Orientation/Application Process Certificate of Completion (LIC 281C) will be handed out at the end of this session and is to be brought back to Component II and III for valid signatures and verification of completing the application process. Once the orientation is complete, there is no time limit for submitting a completed application.

3-0345 I. OPENING THE SESSION (Continued)**3-0345**

- J. Advise where regulations can be located on the Community Care Licensing Division and Office of Administrative Law websites. Advise licensee to review the applicable regulations and be prepared to discuss during Component III.

CCLD Website - California Code of Regulations, Title 22
www.cdss.ca.gov/inforesources/Letters-Regulations/Legislation-and-Regulations/Community-Care-Licensing-Regulations/Residential

Office of Administrative Law Website
www.oal.ca.gov

3-0349 II. GENERAL INFORMATION**3-0349**

A. Historical Development (Residential Only)

1. Prior to California becoming a State, there is evidence that organized society recognized an obligation to protect or assist dependent members of the population who were incapable of caring for themselves.
2. The earliest attempts to provide and regulate care concerned the most vulnerable members of the populations, first the children, then the dependent aged.
3. The present Community Care Licensing **Division's** responsibility for licensing community care facilities is an outgrowth of these long standing social concerns.
4. Community care was originally envisioned as a normalizing and least restrictive environment for persons needing basic care and supervision, which would assist them in the performance of the activities of daily living.
5. The children and adults placed in such a setting were envisioned as requiring little more than a healthful, safe and supportive environment.
6. Today, the nature of community care has changed significantly and now includes care for persons whose needs require the management of severe behavior adjustment problems, serious mental disorders, and significant medical needs.
7. In order to give emphasis to the different populations serviced, the Community Care Licensing Division is now governed by four separate licensing acts which will be discussed in more detail during this presentation.

3-0349

II. GENERAL INFORMATION (Continued)

3-0349

B. Role and Responsibility of the Community Care Licensing Division-

1. The Community Care Licensing Division is a regulatory program whose mission is to protect the health and safety of children and adults who reside or spend a portion of their time in out-of-home care. This is accomplished through the development and enforcement of regulations.
2. The Community Care Licensing Division program consists of three distinct functions:
 - a. Prevention
 - b. Compliance
 - c. Enforcement
3. **Prevention** – The reduction of predictable harm by screening out unqualified applicants and by providing applicants and licensed providers with information regarding the laws and regulations concerning the operation of community care facilities. Examples are:
 - a. The three-component orientation and application process has been designed to screen out unqualified applicants and to assist qualified applicants in the successful completion of the licensing process.
 - b. Fingerprinting and obtaining criminal records of applicants and other individuals to provide some assurance that their contact with clients will not pose a risk to the health and safety of the clients.
 - c. Obtaining a fire clearance prior to licensure to ensure the facilities meet all necessary fire safety requirements.
 - d. Obtaining health screening reports from physicians to verify that the applicant and facility personnel are in good health and physically, mentally and occupationally capable of performing assigned tasks.
 - e. Obtaining financial information to determine if the facility has an adequate financial plan and sufficient funds to meet ongoing operating costs. For all facility types, this includes obtaining a credit report on all applicants to ensure they have the financial capability and are of responsible character.
 - f. Conducting pre-licensing inspections to ensure that the facility is in compliance with the Community Care Licensing Division laws and regulations and ready to begin operation.

3-0349

II. GENERAL INFORMATION (Continued)

3-0349

- g. The application serves as **a contract** or promise by the applicant that they understand and will operate their facility in compliance with licensing **requirements** found in the Health and Safety Code **and the California Code of Regulations, Title 22.**
 - h. **Issuance of a license by the Community Care Licensing Division permits the applicant to do something (operate a facility) that is OTHERWISE PROHIBITED BY LAW.**
- 4. **Compliance** – The process which ensures that **facilities licensed by** the Community Care Licensing Division are operated according to applicable laws and regulations. Compliance is maintained through facility inspection, issuing deficiency notices, and providing consultation regarding the correction of deficiencies.
 - a. Once the application process is complete and a license is issued, the licensee may operate the facility as long as the facility is operated in compliance with regulations as promised when the licensee signed the application.
 - b. The Community Care Licensing Division is allowed to visually inspect the operation to ensure the operation is in compliance. This visual inspection, which is completed by a Licensing Program Analyst, is conducted on an unannounced basis.
 - c. If the facility is out of compliance, the deficiency is noted and the operator or facility administrator and the Licensing Program Analyst agree on a plan of correction to correct the deficiency(ies).
 - d. During the compliance phase of the process, the Licensing Program Analyst is often involved in consultation to assist the operator in understanding how he/she can come into compliance and remain in compliance with regulations.
 - e. The critical part of the compliance phase is to provide enough information assistance to the licensee to enhance his/her ability to stay in compliance. If not, the **safety of the individual in care** is jeopardized.

3-0349

II. GENERAL INFORMATION (Continued)

3-0349

5. **Enforcement** – A range of corrective actions (from civil penalties to facility closure) taken when a provider fails to protect the health and safety of **individuals** in care or is unwilling or unable to maintain compliance with licensing laws and regulations.
 - a. This enforcement takes many forms, based on the severity of the violation.
 - b. As a general statement, **whenever** a person is sexually or physically abused by a licensee or there is insufficient supervision leading to **an individual’s** endangerment **while in care**, the enforcement action will be closure of the facility.
 - c. Other violations, unless chronic, will usually result in corrective action ranging in severity from plans of correction and civil penalty fines to informal conferences.
 - d. If still not corrected, revocation of the license is still a possibility.
 - e. Enforcement is only utilized when a licensee “fails to live up to” the promise he/she made when he/she signed the application – the promise to comply with regulations and the Health and Safety Code.

C. Governing Laws/Inspection Authority

1. The Community Care Licensing Division program is governed by four separate licensing acts.
 - a. **The California Community Care Facilities Act:** Licensing laws enacted in 1974 for residential facilities serving children and adults.
 - b. **The California Residential Care Facilities for the Chronically III Act:** Licensing laws enacted in 1992 which focus on the needs of residents with HIV.
 - c. **The California Residential Care Facilities for the Elderly Act:** Licensing laws enacted in 1985 for residential facilities serving persons 60 years of age and over.
 - d. **The California Child Care Act:** Licensing laws enacted in 1984 for child care centers and family child care homes serving children.
2. Explain the Difference Between Statutes and Regulations
 - a. The licensing agency can adopt regulations.
 - b. The Health and Safety Code can only be amended by Legislation.

3-0349**II. GENERAL INFORMATION** (Continued)**3-0349**

3. Explanation of Inspection Authority
 - a. Unannounced inspections.
 - b. Right to interview staff and clients in private.
 - c. Right to inspect all facility records and remove records to copy if necessary with either the licensee’s permission or with a subpoena.
 - d. Right to inspect **entire** facility, not just a few rooms, including staff rooms.

D. Operations Requiring Licensure

1. Provides care or supervision.
2. Accepts or retains residents who need care or supervision.
3. Advertises or represents itself as a licensed facility.

E. Penalties for Unlicensed Operations

1. Issue a “Notice of Operation in Violation of Law?”
2. Authority to issue a Civil Penalty of \$200 per day.
3. Misdemeanor which may be referred to the District Attorney for prosecution.
 - a. Punishment may be up to \$1000 per violation or imprisonment in County jail for a period not to exceed 180 days, or both.
4. Can also prosecute under **California** Business and **Professions** Code; fines can run into thousands of dollars.

F. Important Facts about a License

1. Licenses are not transferable. If a person sells a facility to another individual, partnership or corporation, the new owner must apply for and obtain a new license before beginning operation.
2. A license is not granted automatically; all licensing requirements must be met prior to issuance of a license.

3-0349**II. GENERAL INFORMATION** (Continued)**3-0349**

3. The applicant must pass a pre-licensing visit prior to licensure.
4. All individuals are required to obtain a criminal record clearance prior to licensure and must be cleared prior to working at the facility.
5. Prior to the issuance of a license, it is mandatory for all applicants and their designated administrators or directors to attend all three components of the orientation process.
6. All licensed facilities must include the license number in any advertisement, publication or announcement intended to attract individuals for the provision of care.

G. Definition of Facility Types**1. Children’s Residential Facilities (24-hour care)**

- a. Foster Family Agencies are engaged in recruiting, training, and providing professional support to families, or in finding homes or other places for placement of children for temporary or permanent care.
- b. Adoption Agencies provide adoption services and assist with the permanent placement of children to adoptive parents.
- c. Transitional Housing Placement Programs provide care and supervision for children at least 16 years of age participating in an independent living arrangement.
- d. Group Homes care for children under 18 years old. These facilities maintain a structured environment and serve a specific client group. Frequently, children in Group Homes are under Juvenile Court jurisdiction, either on probation due to infractions of the law or as dependent children removed from their homes because of abuse, neglect or abandonment.
- e. Short-Term Residential Therapeutic Programs (STRTP) provide short-term, specialized and intensive therapeutic treatment, and 24-hour, non-medical care, supervision, services, and support to children.
- f. Community Treatment Facilities provide health treatment services to children in a group setting and have the capacity to provide a secure environment, but less restrictive than a pediatric hospital.

3-0349**II. GENERAL INFORMATION (Continued)****3-0349**

- g. Runaway and Homeless Youth Shelters provide voluntary, short-term shelter, and personal services to runaway youth or homeless youth.
- h. Small Family Homes provide 24-hour-a-day care in the licensee’s family residence for six or fewer children who are mentally disabled, developmentally disabled or physically handicapped, and who require special care and supervision as a result of such disabilities.
- i. Crisis Nurseries provide short-term, 24-hour nonmedical residential care for children under six years of age, who are voluntarily placed for temporary care by a parent or legal guardian due to a family crisis or stressful situation for no more than 30 days

H. Client Populations for Residential Facilities

- 1. Children who are dependents and have been made wards of the Juvenile Court either because they are on probation due to an infraction of the law or have been removed from their homes because of abuse, neglect or abandonment. Some may have serious behavioral or emotional problems. Some children may be privately placed.
- 2. Individuals with a developmental disability attributable to an intellectual disability, cerebral palsy, epilepsy or other neurological conditions. These individuals may need assistance and training with activities of daily living.
- 3. Individuals with a mental health diagnosis who have received mental health services. These individuals may need care and supervision, including assistance with activities of daily living.

I. Needs Assessment (Residential)

- 1. It is the applicant’s responsibility to contact placement agencies for information on the types of children intended to be served and for referrals appropriate to the facility type.
- 2. The licensing agency does not place clients, and a license is no guarantee that the placement agency will place clients in your facility.

3-0349**II. GENERAL INFORMATION (Continued)****3-0349**

3. Refer applicants to the following placement and advocacy agencies in order to conduct survey of need:
 - a. Local Regional Centers (Group Homes and Small Family Homes)
 - b. County Welfare Departments (**Children’s Residential Facilities**)
 - c. Mental Health Agencies
 - d. Probation Departments (Group Homes)
 - e. Local hospital’s discharge planners (Small Family Homes)

3-0355**III. COMPLIANCE/MONITORING/ADMINISTRATIVE ISSUES****3-0355****A. Types of Licensing **Inspections****

1. Pre-licensing by appointment. (**Note:** No **inspection** will be made prior to submission of a completed application.)
2. Post licensing – unannounced (except **for** Foster Family Homes.)
3. **Compliance Inspection** – unannounced.
4. Complaint – unannounced.
5. Plan of Correction – unannounced.
6. Case Management – unannounced.

B. **Inspection Process**

1. **The** facility is **inspected** to ensure **the licensee** is in substantial compliance with licensing laws and regulations.
2. If out of compliance, the **licensee** is cited for violation of **statute or** regulations.
3. Violations are cited to protect the **individuals** in care.

3-0355

III. COMPLIANCE/MONITORING
/ADMINISTRATIVE ISSUES (Continued)

3-0355

4. There are three types of violations:
 - a. Immediate impact violations have a direct and immediate risk to the health, safety or personal rights of **individuals in care**.
 - b. Potential impact violations are those that, without correction, could become a risk to the health and safety of the **individuals in care**.
 - c. Technical violations are violations of the regulations that do not present an immediate or potential negative impact to the health and safety of **individuals in care**.

C. Licensing Reports

1. An explanation of the deficiency will be cited along with the specific **statute or regulation** section in violation.
2. The licensee or designated representative will be responsible for devising and implementing a plan of correction.
3. A time frame for correcting each deficiency will be established based on the type of impact of the violation.
4. The licensee is responsible for making all corrections and notifying the licensing agency of corrections.

D. Civil Penalties

1. **If a deficiency is cited, the licensee may be assessed a civil penalty under the following circumstances:**
 - a. **Failure to correct a violation**
 - b. **Immediate civil penalties for serious violations**
 - c. **Civil penalties that resulted in death or serious bodily injury or that constituted physical abuse**
 - d. **Repeat violations**

Please see Reference Material, Enforcement Actions, Section 1-0000 for additional information on civil penalties.

2. **If civil penalties are not paid after receiving the bill, the licensing agency has other methods of collection, such as:**
 - a. **Offset Program – attaching the individual’s State personal income tax return.**
 - b. **Revocation of license based on unpaid civil penalties.**

3-0355**III. COMPLIANCE/MONITORING**
/ADMINISTRATIVE ISSUES (Continued)**3-0355****E. Appeal Process**

1. The licensee has the right to appeal any licensing action without retaliation from licensing staff.
2. The licensee has the right to discuss with the licensing agency any disagreement with the licensing reports of civil penalty assessments.
3. When civil penalties are involved, the licensee may request a formal review to amend, extend the due date or dismiss the penalty.
4. Requests for civil penalty review shall be made in writing within ten days of receipt of the Penalty Notice.
5. The licensee will be notified promptly in writing of the results of the agency review.

F. Administration Action Process

1. The goal of regulatory enforcement is to gain compliance and closing a facility is an action of last resort.
2. The policy of the Community Care Licensing Division is to ensure that licensees are afforded an opportunity to correct deficiencies prior to initiating an Administrative Action.
3. There are some situations that warrant the immediate closure of a facility and the removal of all **individuals in care, an action** referred to as a Temporary Suspension Order. This is done when:
 - a. There is an imminent danger to the health, welfare or safety of **individuals in care**.
 - b. There is no other way to protect the **individuals in care** or remove the risk.

The closure is normally immediate and the hearing is held within 30 days of the closure.

3-0355**III. COMPLIANCE/MONITORING**
/ADMINISTRATIVE ISSUES (Continued)**3-0355**

4. There are other situations where the **individuals in care** are not in imminent danger, but the facility is unwilling to operate the facility in compliance with the laws and regulations. In these instances, the Department would initiate a revocation action against the facility, and
 - a. A facility may continue operating prior to an administrative hearing, and
 - b. The **individuals in care** are normally not removed.
5. With the exception of temporary suspension order situations and the revocation actions premised upon events which were so serious that no plan of correction can be reasonably established, the licensing agency will schedule a noncompliance review conference with the licensee to review the problem areas and impress upon the licensee the seriousness of the situation. The licensee will be advised that:
 - a. An Administrative Action will be pursued unless the deficiencies are corrected.

3-0360**IV. APPLICATION PROCESS****3-0360**

- A. Steps to Obtaining a License
 1. Attend Component I – Orientation
 2. Submit Complete Application
 - a. A & B Documents
 - b. Fee
 3. Applicant receives Fingerprint Clearance Process and Live **Scan** Information, Facility Number, and Child Abuse Index Check if applicable.
 4. Fire Clearance is ordered by the Regional Office.
 - a. **Handout for pre-inspection option – Fire Pre-Inspection/ Consultation Request** (LIC 9092), submitted to fire authority
 - b. **Handout for requirement to identify local fire department – Local Fire Inspection Authority Information Required by the Department of Social Services, Community Care Licensing Division** (LIC 9054)

3-0360 IV. APPLICATION PROCESS (Continued)**3-0360**

5. Overconcentration notice is sent to the Zoning Department or the Planning Commission, if applicable. (Refer to Reference Material, Application Follow-up Activities, Section 3-0569)
6. Application Review
7. Component II – Face-to-Face Interview
8. Pre-licensing inspection (may be scheduled before or after Component III)
9. Criminal record clearance and fire clearance received
10. Component III – Category-specific training
11. Application approved and license issued
12. Application denied
 - a. Cessation or review
 - b. Waiting period

B. Background Check

1. Fingerprint processing procedures.
 - a. Caregiver Background Check Bureau will mail out Live Scan Form and Fingerprint Submission Instructions after the application is accepted.
 - b. Assigned facility number must be on the Live Scan form.
 - c. Prints are transmitted to the Department of Justice (DOJ) electronically.
 - d. Fingerprint processing fee.
2. Applicants and all adults residing in the home must have a DOJ clearance or criminal record exemption prior to license/certification.
3. Exemption process – hand out Caregiver Background Check Information (LIC 995F)

3-0360 IV. APPLICATION PROCESS (Continued)**3-0360**

4. California Child Abuse Central Index (CACI) Check
 - a. For facilities that provide care to children.
 - b. Child Abuse Central Index Check For State Licensed Facilities (LIC 198A) and instructions sent with fingerprint submission instructions.
 - c. Processing fee of \$15.00 (no categories are exempt from fee).

C. Outside Clearances

1. Applicant’s responsibility.
2. Important to inquire prior to or at the same time the application is submitted.
3. Licensing does not have any jurisdiction or control over these clearances.
4. Contact the local Zoning Department or the Planning Commission.
 - a. May need a conditional use permit or a business license.
 - b. Check on building codes.
5. Bacterial analysis required if not using public water.

D. Licensing Fees

1. Hand out Licensing Fee Letter.
2. Fees are paid at time of application and annually on anniversary date of the current license. (Transitional Shelter Care Facilities are exempt) (Health and Safety Code Section 1523.1 and 1523.5).
3. Application fee is non-refundable.

E. Limits and Terms of License

1. Non-transferable.
 - a. If the facility is sold, the license and residents are not part of sale.
 - b. New owner must apply for a new license and meet licensing qualifications and standards.

3-0360 IV. APPLICATION PROCESS (Continued)**3-0360**

2. Surrender/Forfeiture of a license.
3. Capacity determination.
4. Ambulatory/Non-Ambulatory.

F. Miscellaneous Requirements.

1. If applicant is an individual or partnership (not a corporation) applying for a Group Home or **Small Family Home**, there may be a credit check requirement.
2. If applicant is a corporation, a letter will be sent to all board members regarding the application and their responsibility and liability.
3. If applicant is a limited liability company, a letter will be sent to all managers and/or managing members.
4. For Group Home applicants, explain the 40-hour Certified Administrator Program.
5. The Certification Programs are not part of the Section A and B application packets. However, the applicant and/or the administrator (depending on the category) must be enrolled or complete the program prior to licensure.
6. Hand out appropriate category-specific vendor lists. These vendor lists can be found on the Community Care Licensing Division’s website at www.cdss.ca.gov/inforesources/Community-Care/Administrator-Certification/Administrator-Information/List-of-Approved-Vendors.

3-0365 V. COMPONENT I HANDOUTS**3-0365**

- A. General Regulations
- B. Category Specific Regulations
- C. **LIC 9200 Pre-Licensing Facility Evaluation Checklist**
- D. LIC 9092 – Fire Pre-inspection/Consultation Request
- E. Category-Specific Application Booklet
- F. Licensing Fee Letters
- G. LIC 9054 – Local Fire **Inspection Authority** Information (if not included in application booklet)

3-0365 V. COMPONENT I HANDOUTS (Continued)**3-0365**

- H. LIC 281C – Orientation/Application Process Certificate of Completion
- I. LIC 9106 – Group Home Program Statement General Instructions
- J. LIC 9106A – Short-Term Residential Therapeutic Program (STRTP) Statement General Instructions
- K. LIC 9128 – Foster Family Agency Program Statement

3-0370 VI. APPLICATION BOOKLET (LIC 281 Series)**3-0370**

- A. Hand out the appropriate “application booklet.”
 - 1. Using the guidelines, go through each page of the application booklet.
 - 2. Utilize and focus on all information listed in the guidelines.
 - 3. Explain to applicants that there are no forms for B documents, so they must use the guidelines and existing applicable statutes and regulations to create their own.

NOTE TO THE LICENSING PROGRAM ANALYST: After completing the review of the application booklet, refer to Reference Material, Closing Component I Session, Section 3-0559, for instructions on meeting closure.

3-0375 VII. COMMUNITY CARE FACILITY**3-0375**

- A. Responsibility for Care and Supervision
 - 1. 24-hour care and supervision to meet the client’s needs.
 - 2. Provide all basic services as defined in regulations.
 - 3. Three balanced meals per day plus snacks.
 - 4. Assistance with daily living skills and medications.
 - 5. Transportation to medical and dental appointments.
 - 6. Laundry service.
 - 7. Planned activities.
 - 8. Safeguarding and handling of client money.

3-0375**VII. COMMUNITY CARE FACILITY (Continued)****3-0375****B. Physical Plant, Furniture and Equipment**

1. Clean, safe, sanitary and in good repair at all times.
2. Isolation room or area for ill clients.
3. Swimming pools must be inaccessible if clients are under six years old, physically handicapped or mentally disordered.
4. Lights or lamps in all rooms and areas for health and safety.
5. One toilet and one sink for every six people (clients and staff).
6. One bathtub or shower for every ten people (clients and staff).
 - a. For Social Rehabilitation, one for every six people.
7. Individual beds for each client with mattress and box spring.
8. Chest of drawers or minimum of two drawers, night stand, lamp and chair for each client.
 - a. Night stand may be shared by two clients.
9. Linen, towels and wash cloths for each client.
10. Signal system for facilities licensed for 16 or more clients and all facilities having separate floors or separate buildings.
11. Room temperature.
 - a. 68 degrees Fahrenheit minimum.
 - b. 85 degrees Fahrenheit maximum.

C. Group Homes

1. Administrator Qualifications
 - a. Have group turn to **California Code of Regulations, Title 22**, Section 84064 and go over education, certification and experience requirements.

3-0375 VII. COMMUNITY CARE FACILITY (Continued)**3-0375**

2. Personnel Requirements **California Code of Regulations, Title 22, Section 84065.**
 - a. Facility Manager qualifications and experience.
 - b. Monthly consultation from psychiatrist, clinical psychologist or clinical social worker if serving children diagnosed as mentally ill.
 - c. Monthly consultation from qualified mental health retardation professional if serving children diagnosed as developmentally disabled.
 - d. Have qualified social work staff.
 - e. Have or designate one person to have primary responsibility for planned activities.
 - f. Sufficient child care staff to meet the needs of children served.
 - g. Facility must have a written plan for orientation, continuing education and on-the-job training and development for all child care staff.

D. Small Family Home

1. Must be in a licensee’s own home.
2. Cannot be licensed for more than six children.
3. Only two infants allowed.
4. Review Reference Material, **Special Health Care Needs**, Section 5-2200 with group.

3-0380 APPLICATION BOOKLET: SECTION A GUIDELINES**3-0380**

The following information is provided to assist in the preparation, completion and review of application documents. When completing or reviewing application forms, be sure to pay special attention to instructions and information provided on each form, refer to the guidelines below and thoroughly complete all required forms.

The guidelines were designed to be used in conjunction with the **Application Instructions for a Facility License** (LIC 281). Therefore, when reviewing an application for a **Foster Family Home**, these guidelines will not be applicable to these two facility categories.

3-0385 A1. APPLICATION (LIC 200)**3-0385**

- Make sure the form is filled out completely.
- If a corporation is applying for the license, #1 “Applicant(s) Name” is the corporation name.
- If a corporation is applying for the license, all persons signing the application must be authorized to do so by Board Resolution.
- If a limited liability company is applying for a license the person(s) signing the application must be authorized to do so, either under the operating agreement for the limited liability company or by written delegation by a person with the authority to make such delegation.
- All applicants must sign the application, including each general partner.
- The application shall have original signatures (signatures cannot be photocopied).
- Signatures need to match #1 Applicant(s) name, unless the applicant is a corporation (see above). Be aware that a credit report may only be obtained on an individual who has signed the application, excluding corporate officers. In the case of a corporation, a credit report is obtained on the corporation. If the applicant is a limited partnership, the evaluator will only request a credit report on the general partners. If the applicant is a limited liability company, the evaluator is only permitted to request a corporate credit report.
- If the application indicates that the applicant previously held a license for a facility, check to make sure that this is also reflected on the Applicant Information (LIC 215). Verify that no disciplinary action was or is being taken on any previously or currently licensed facility.

For additional application requirements pertaining to Group Homes and Foster Family Agencies, see Reference Material, Additional Application Requirements for Group Homes and Foster Family Agencies, Section 3-0555.

NOTE: For Partnerships and Corporations – see Reference Material, B1. Partnership Agreement, Articles of Incorporation or Articles of Organization for Limited Liability Companies, Section 3-0490 for additional criteria.

3-0390 A2. APPLICANT INFORMATION (LIC 215)**3-0390**

- Make sure there is a form completed by each applicant. For limited liability companies, the “applicant” refers to a managing member or, if none, a manager.
- If the applicant previously held a license, held a beneficial ownership of 10 percent or more or was an administrator, a general partner, a corporate officer, a manager or a managing member of a limited liability company or a director of a licensed facility, research to determine if any disciplinary actions were or are being taken. The Licensing Program Analyst should check the Licensing Information System (LIS) – Personnel History report. County licensing should check the Licensing Administrative Action Records System (LAARS) – Personnel Flagging Attachment website. You may obtain the complete web address from your county liaison.
- Can be used, as necessary, to verify qualifications when an applicant also intends to be the Administrator/Director.
- This form must contain original signatures (signatures cannot be photocopied).
- Reference statements must be current and should not be from relatives.

3-0395 A3. DESIGNATION OF FACILITY RESPONSIBILITY (LIC 308)**3-0395**

- Make sure that the form contains the original signature of the Applicant/Licensee (signatures cannot be photocopied).
- Make sure an individual other than the licensee is designated as the administrator/director or other agent of the facility to act on behalf of the absent licensee. More than one staff person may be designated on a form.
- If the applicant is a corporation, the Board of Directors must authorize the delegation by proper resolution, and submit with this form.
- If the applicant is a limited liability company, the form must be signed by a manager or managing member who has written authority under the company’s operating agreement to sign or to take action on behalf of the limited liability company.

3-0400 A4. ADMINISTRATIVE ORGANIZATION (LIC 309)**3-0400**

(To be filled out if the applicant is a Corporation, Limited Liability Company, Public Agency, Partnership or other Association.)

- Make sure this information matches the information provided in the Application for a Community Care Facility (LIC 200).
- Terms of office should match articles/bylaws.

3-0405 A5. AFFIDAVIT REGARDING CLIENT/RESIDENT CASH RESOURCES (LIC 400)**3-0405**

- Make sure the form is completed and the appropriate box is checked (not required for Foster Family Agencies).
- This form must contain original signatures. The licensing agency will not accept photocopied signatures on this form.
- Make sure a bond is obtained if needed. The following are examples of situations when a bond is needed:

The licensee/facility employee cashes a client’s check at the bank and returns the money to the client. In this situation, the licensee/facility employee has handled the client’s money.

The licensee/facility employee keeps client money in a safe place, including a bank/financial institution, and controls its distribution (“hands out the money”). This form must contain original signatures (signatures cannot be photocopied).

3-0410 A6. SURETY BOND (LIC 402)**3-0410**

- Make sure the bonding agency uses the language found on the Surety Bond (LIC 402), if the form itself is not used. The State of California must be identified as the Principal (recipient) and there must be an effective date and an expiration date.
- Compare the Surety Bond (LIC 402) to ensure that the bond is in the amount indicated on the Affidavit Regarding Client/Resident Cash Resources (LIC 400).
- The document must contain original seals and signatures (cannot be photocopied).
- This is not required for Foster Family Agencies.

The following financial forms are necessary in order to capture the overall financial status of the applicant and to determine if the applicant has sufficient financial resources to operate the facility (i.e., meet expenses). These forms will be reviewed in conjunction with one another, as well as with a credit report, if one has been obtained.

3-0415 A7. MONTHLY OPERATING STATEMENT (LIC 401)**3-0415**

- The applicant should use the Monthly Operating Statement (LIC 401) to provide an estimated operating budget.
- Make sure the form contains both the name of the preparer and the original signature of the applicant(s) (signatures cannot be photocopied).

3-0415 A7. MONTHLY OPERATING STATEMENT (LIC 401) (Continued) 3-0415

- Instructions are found on the reverse side of this form.
- Obtain a separate **Monthly Operating Statement (LIC 401)** for each community care facility operated and any other business the applicant operates.
- Make sure the number of clients corresponds with the requested capacity.
- Other facility income must be clear and documented.
- All facility operating costs must be indicated and reasonable (i.e., salaries are shown as at least minimum wage).
- Approximately 25 percent of the salaries should normally be added for fringe benefits. If fringe benefits are not applicable, the application should so state and explain why.
- For facilities which are managed by a corporate headquarters or incur additional expenses to support a corporate or headquarters office, the cost of the corporate office must be prorated, among the facilities and a share of the expense must be shown on the **Monthly Operating Statement (LIC 401)** for the new facility.
- Make sure the rent amount corresponds with the lease/rental agreement/mortgage payment.
- If the applicant is the licensee of another facility, a separate **Monthly Operating Statement (LIC 401)** must also be submitted for each licensed facility. For facilities in operation, this information must reflect the actual operating budget, not an estimate. At the top of the **Monthly Operating Statement (LIC 401)** the applicant is to indicate whether the information contained on the form is estimated or actual.
- For applicants with multiple facilities, a consolidated income statement of actual income and expenses must be submitted for the most recently completed tax year.
- Not required for **Small Family Homes** and **Foster Family Homes.**

3-0420 A8(a). SUPPLEMENTAL FINANCIAL INFORMATION (LIC 401A)**3-0420**

- Make sure the form contains both the name of the preparer and the original signature of the applicant(s) (signatures cannot be photocopied).
- Instructions are found on the reverse side of the form.
- Part I is to reflect all other income and expenses excluding the facility. Part I is to only be completed by individual applicants and each general partner.
- Part II is to be completed by all applicants.

3-0425 A8(b). BALANCE SHEET (LIC 403)**3-0425**

- Make sure the form contains both the name of the preparer and the original signature of the applicant(s) (signatures cannot be photocopied).
- Instructions are found on the reverse side of form.
- The information provided is to reflect assets and liabilities concerning all activities of the owner(s), not just those related to the operation of the facility (i.e., credit card balances, income and expenses related to other businesses).
- Figures must be “realistic.”
- If the applicant is the sole owner, real estate listed should indicate both the purchase price and the market value of property. If the applicant is a partnership or corporation, the cost of the real estate should be indicated not the appraised value.
- On site furnishings and equipment listed should indicate the market value.
- Only cash and cash equivalents should be considered for meeting the three month start-up funds requirement. Cash equivalents are those assets which are readily converted to cash in one week or less.
- Life insurance amount must be the cash value or surrender value, not “face value” (normally the amount to be paid upon death).
- Not required for Small Family Homes and Foster Family Homes.

**3-0430 A8(c). BALANCE SHEET SUPPLEMENTAL
SCHEDULE (LIC 403A)****3-0430**

- Make sure the form contains both the name of the preparer and the original signature of the applicant(s) (signatures cannot be photocopied).
- Instructions are found on the reverse side of form.
- This is a detailed balance sheet to be completed prior to completing the **Balance Sheet (LIC 403)**.
- Cash in bank will be verified with the use of the **Financial Information Release and Verification form (LIC 404)**.
- Liabilities may be verified by obtaining a credit report on the applicant(s). Review the credit report for the Key Areas discussed in **Reference Material, Guidelines for Processing Applications**, Section 3-0025 of this manual.
- The information provided is to reflect assets and liabilities concerning all activities of the owner(s), not just those related to the operation of the facility (i.e., credit card balances, income and expenses related to other businesses).
- Figures must be “realistic.”
- If the applicant is the sole owner, real estate listed should indicate both the purchase price and the market value of property. If the applicant is a partnership or corporation, the cost of the real estate should be indicated not the appraised value.
- On site furnishings and equipment listed should indicate the market value.
- Only cash and cash equivalents should be considered for meeting the three month start-up funds requirement. Cash equivalents are those assets which are readily converted to cash in one week or less.
- Not required for **Small Family Homes, Foster Family Homes**.

**3-0435 A9(a). FINANCIAL INFORMATION RELEASE AND
VERIFICATION (LIC 404)****3-0435**

- Make sure the form contains the original signature of the applicant(s) (signatures cannot be photocopied).
- The applicant must complete Section I and return a separate form to the licensing agency for each financial institution. This includes all financial institutions handling cash for the applicant and each institution authorizing a line of credit. The line of credit should reflect the credit limit and balance available. Only **verified** bank balances and lines of credit from financial institutions are acceptable sources to meet start-up funds requirements.

3-0435**A9(a). FINANCIAL INFORMATION RELEASE AND VERIFICATION (LIC 404)** (Continued)**3-0435**

- The licensing agency is to send this form to the financial institution. The verification must be sent by the financial institution directly to the licensing agency. **The licensee cannot hand carry it.**
- In lieu of a Financial Information Release and Verification (LIC 404) from the financial institution, it is acceptable for the applicant to access their account information through the internet and print out their current information to be retained by CCLD similar to the LIC 404. The printout must identify the owner of the account, the date accessed and balance available.
- Should the licensee be unable to get the financial institution to fill out the LIC 404, or should the LIC 404 not contain sufficient information to allow you to make a decision regarding the amount of funds contained in the bank account, at times it may be necessary to require the licensee to obtain a current interim statement from the bank or financial institution being used to establish start-up funds. An interim statement is an official statement produced by the financial institution in between the normal statement dates. Statements are typically issued by financial institutions monthly. The owner of the account can have the institution produce this statement typically at no charge. If you have any doubt or questions about the information provided to you, consult with Audit Section.
- The credit check process requires certain past debts be brought current. Refer to the key areas of the credit report as discussed in Reference Material, Guidelines for Processing Applications, Section 3-0325. The source for payment of these debts must be reviewed with the applicant to determine that the start-up funds are still available.
- This information is used to verify approximately three months of operating budget (cross-reference to the estimated operating budget). The licensing agency will take into account situations such as the following:
 - The applicant is purchasing an already licensed and operational facility.
 - The portions of the start-up funds which have been spent on prepaid rent. (Start-up funds should not be consumed on renovation or repair work to facility).
 - Clients/children are enrolled and/or a waiting list has been established.
- A verifiable “line of credit” from a reputable financial institution is acceptable for start-up funds, if readily accessible (i.e., banks, savings and loans, and credit unions). The Cash Advance Available from major credit cards is also a usable source for start-up funds.

3-0435 A9(a). FINANCIAL INFORMATION RELEASE AND VERIFICATION (LIC 404) (Continued)**3-0435**

- Not required for Small Family Homes, Foster Family Homes.
- Must contain original signature(s) (signatures cannot be photocopied).
- All persons listed on an account must sign the form. Bank accounts must be in the applicant’s name.

3-0440 A9(b). BUDGET INFORMATION (LIC 420)**3-0440**

- To be completed by Small Family Home applicants only.
- Must contain original signature(s) (signatures cannot be photocopied).

3-0445 A10. PERSONNEL REPORT (LIC 500)**3-0445**

- All planned employee positions are to be shown on this form. Include days and hours staff will be scheduled for duty. The licensing agency will review to ensure there is required staff coverage for all hours of operation.
- Director/Administrator and any teachers/staff hired at the time of application should be on the form. Other positions with staff not yet hired must be listed as “to be hired” and designated by position title.
- If the form does not show that the Director/Administrator is there full time, a qualified substitute must be designated.
- Ensure that the reverse side of the Personnel Report (LIC 500) is signed by the applicant/licensee or designated representative if there are exempt personnel at the facility.
- If the applicant is the licensee of another facility, a separate Personnel Report (LIC 500) must also be submitted for each licensed facility.
- Estimate the cost of staffing the facility from this form and compare the estimate with the salaries and wages shown on the Monthly Operating Statement (LIC 401).
- Make sure anyone designated as exempt from fingerprinting requirements is appropriate pursuant to Health and Safety Code Section 1522, and that side B is signed by the licensee, or their designated representative, verifying they believe the indicated individuals are exempt from criminal record requirements pursuant to the statute.
- The applicant/licensee or designated representative (signatures cannot be photocopied). Make sure all persons required to be fingerprinted have submitted their fingerprints electronically using Live Scan.

3-0449 A11. PERSONNEL RECORD (LIC 501)**3-0449**

- Only those who **do not** complete an Applicant Information (LIC 215) form should complete a Personnel Record (LIC 501).
- This form is to be signed and submitted to the licensing agency only for Director/Administrator and Program Managers who are not licensees. All others are to be kept on file for review at the facility.
- Verification of education and experience will be done against official school transcripts and/or references.

3-0455 A12. HEALTH SCREENING REPORT - FACILITY PERSONNEL (LIC 503)**3-0455**

(This form is not required, under certain circumstances, of persons who are adherents of a well-recognized church relying solely upon prayer or spiritual means of healing. Facilities must, however, present satisfactory evidence to the licensing agency that individuals are free from any communicable disease. Such evidence shall be a written statement from a practitioner recognized by this religion for the purposes of healing.)

- One form each is required for the applicant or designee and Administrator.
- For limited liability companies one form, or set of forms, is required for the manager or managing member who completed the Applicant Information (LIC 215).
- Health screening, at time of application, must be one year old for all categories. (If the applicant has other licensed facilities, or the director has worked at another facility with the same licensee, and there is an exam on file, a new health exam is not required unless there are obvious health problems.)
- If the applicant is a corporation, there must be a health screening with the TB clearance for the Board President, Chief Executive Officer or person designated by the Board Resolution.
- The Health Screening Report (LIC 503) must be signed and dated by a qualified medical professional (signatures cannot be photocopied).
- The TB test portion of the form must be filled out, including result, or a separate test verification is needed.

3-0459 A13. EMERGENCY DISASTER PLAN (LIC 610 Series) 3-0459

- The plan must show two relocation sites away from the facility that are able to accommodate the number of clients/children in the facility.
- If moving residents to another licensed facility, that facility must meet Community Care Licensing Division’s requirements.
- If the use of the relocation site(s) requires an agreement from another agency or person, make sure this is verified in writing.
- Not required for Foster Family Agencies or Adoption Agencies.

3-0465 A14. FACILITY SKETCH (FLOOR PLAN) (LIC 999) 3-0465

- Sketch must give dimensions of all rooms and designate their use.
- Door and window exits must be shown. Indicate exit routes by number as shown on the Emergency Disaster Plan (LIC 610 series).
- Rooms to be used by non-ambulatory clients/residents should be identified.
- A facility sketch is required for all indoor and outdoor space including driveways, fences, storage areas, gardens, recreation areas and other space used by clients/residents.
- For facilities with multiple buildings on a single site, submit separate sketches for indoor and outdoor space for each building and one sketch showing entire facility and relationship between indoor and outdoor spaces of all buildings, as well as any other use of the building.
- Sketch of outdoor space/playground must show dimensions and location of major equipment and swimming pools. Sketch must also identify utility shut-off locations.

3-0469 FINGERPRINTS 3-0469

- Prior to licensure a criminal record clearance or exemption must be received on the applicant(s), administrator/director and all adults (except clients) living in the facility.
- Applicants will receive instructions by mail on how to submit fingerprints.
- DOJ will not accept fingerprint cards. All fingerprints must be submitted electronically.
- If an individual has a criminal record clearance or exemption through another Community Care Licensing Division licensed facility and the individual has an “active” status on the LIS, the applicant or licensee may request that the clearance or exemption be transferred.

**3-0475 CHILD ABUSE CENTRAL INDEX CHECK
FOR STATE LICENSED FACILITIES (LIC 198A)****3-0475**

The following apply to all facilities serving children:

- Prior to licensure by the Department, a Child Abuse Central Index Check for State Licensed Facilities (LIC 198A) clearance must be received on the applicant(s), administrator/director and all adults (except individuals in care) living in the facility.
- Child Abuse Central Index Check for State Licensed Facilities (LIC 198A) is no longer part of the application packet that is submitted to the Regional Office.
- Applicants will receive instructions by mail on how to submit a request for a Child Abuse Central Index check.
- If an individual has a Central Abuse Index clearance that was submitted after January 1, 1999, and the individual has an “Active” status on the LIS, the applicant or licensee may request that the clearance be transferred.

Note: Child Abuse Central Index Check for County Licensed Facilities (LIC 198) is used by persons who apply for a license or seek employment in a child day care or residential facility caring for children. This form is processed by a county licensing office, not the Community Care Licensing Division.

**3-0479 OUT-OF-STATE CHILD ABUSE/NEGLECT REPORT
REQUEST (LIC 198B)****3-0479****For Foster Family Home Applicants Only**

- Prior to licensure, applicants and all adults living in the home must be asked if they have lived in another state in the preceding five years. The Out-of-State Disclosure & Criminal Record Statement (LIC 508D) includes this question.
- If the individual discloses an out-of-state residence, the Regional Office must send the Out-of-State Disclosure & Criminal Record Statement (LIC 508D) via fax, mail or e-mail to the Caregiver Background Check Bureau (CBCB).
- Applicants will be notified by CBCB that a name check will be run against the out-of-state child abuse/neglect registry.
- If a positive name match results from the out-of-state child abuse/neglect registry inquiry, then CBCB will request the child abuse/neglect report from the reporting entity and determine if further investigation is required.

**3-0479 OUT-OF-STATE CHILD ABUSE/NEGLECT REPORT
REQUEST (LIC 198B)** (Continued)**3-0479**

- If no further investigation is required or the individual is cleared following the investigation, CBCB will update the individual’s status on the Licensing Information System (LIS) to “Cleared Following Inquiry.” If the individual is a Certified Family Home/Resource Family Home applicant, CBCB will send a notice to the Foster Family Agency.
- If the individual is **not** cleared following the investigation, CBCB will update LIS and send a notice to the Regional Office.

3-0485 APPLICATION BOOKLET: SECTION B GUIDELINES**3-0485**

The following guidelines are used when reviewing application documents for Section B. The guidelines were designed to be used in conjunction with the “application booklet,” formally known as Application Instructions for a Facility License (LIC 281).

Within the sections below you will find some items that are less detailed than others. This is because the criteria under each California Code of Regulations section identified below is either self-explanatory when read or is quite specific and/or lengthy. Therefore, when developing and reviewing each Section B document it is necessary to refer to the California Code of Regulations Section(s) listed and applicable statute in order to fully understand the regulatory and statutory requirements.

It should also be kept in mind that the application document review is one portion of the application decision-making process. Findings from the pre-licensing visit may prohibit approval of the application because of physical plant or other deficiencies which are not specific elements of the application document package.

For additional application requirements pertaining to Group Homes, refer to Reference Material for Application, Additional Application Requirements for Group Homes and Foster Family Agencies, Section 3-0555.

**3-0490 B1. PARTNERSHIP AGREEMENT, ARTICLES OF
INCORPORATION OR ARTICLES OF ORGANIZATION
FOR LIMITED LIABILITY COMPANIES****3-0490**

Information contained in a partnership agreement or articles of incorporation gives the Department information concerning who is ultimately responsible for what functions in the facility. This information is especially necessary when there are unresolved problems needing attention. The Department must know who to contact regarding the operation of the facility.

3-0490**B1. PARTNERSHIP AGREEMENT, ARTICLES OF INCORPORATION OR ARTICLES OF ORGANIZATION FOR LIMITED LIABILITY COMPANIES (Continued)****3-0490****Partnership Agreement**

[California Code of Regulations, Title 22, Section: 80018]

A written agreement is not necessary, for licensing purposes, when the partners are husband and wife. However, two individuals not related by marriage are required to provide a partnership agreement.

All general partners need to be on the license and sign the application. [California Code of Regulations, Title 22, Section: 80018(d)(1)(A)]

Name & residence & business address of each general partner is needed. [California Code of Regulations, Title 22, Section: 80018(c)(2)(A)]

A description of the obligations and duties of each general partner and whether or not each can act on behalf of the others(s). (This is necessary in order for the Department to know who is in charge and responsible for what.) It should be noted that in a partnership ultimately each general partner is responsible and liable for the obligations of the license.

[Health & Safety Code Section: 1522]

Articles of Incorporation

The articles of Incorporation are used to prove that the applicant is in fact a legitimate corporation and approved to do business as such in the State of California. The articles should include a state seal from the state in which they are incorporated. This indicates that it is a valid corporation. Out-of-state/foreign corporations must register with the California Secretary of State’s Office to become authorized to operate in California. Out of state applicants must provide a Certificate of Qualification that is stamped by the California Secretary of State. (In these cases, all of the information required below is still needed.) Pursuant to regulations, the following information must be provided as a part of, or in support of, the Articles of Incorporation.

Constitution and Bylaws (day-to-day operation). This is reviewed only to ensure that no licensing regulations are violated.

[California Code of Regulations, Title 22, Section: 80018(d)(2)(D)]

Board Resolution (to determine who are the agents acting on behalf of the corporation).

Authorization to apply for a license and the person authorized and delegated by Board Resolution to sign and act on behalf of the corporation should be included in the board resolution. (This may be the Chief Executive Officer, Board President, Board Member or an individual from the Corporate Executive Office.)

3-0490**B1. PARTNERSHIP AGREEMENT, ARTICLES OF INCORPORATION OR ARTICLES OF ORGANIZATION FOR LIMITED LIABILITY COMPANIES (Continued)****3-0490**

Director’s and Officers’ names, titles, business and home addresses and phone numbers.

[California Code of Regulations, **Title 22**, Section: 80018(c)(2)(B)]

Name and address of 10 percent shareholders.

[California Code of Regulations, **Title 22**, Section: 80018(d)(2)(C)]

Articles of Organization for Limited Liability Companies

The Articles of Organization, stamped by the Secretary of State, establish that a limited liability company applicant is validly formed and qualified to do business in the State of California. If the Articles of Organization were filed in another state, the limited liability company is a “foreign limited liability company” and must also submit a Secretary of State Form LLC-5 (**Application to Register a Foreign Limited Liability Company, bpd.cdn.sos.ca.gov/llc/forms/llc-5.pdf**), stamped by the California Secretary of State, to demonstrate that the foreign limited liability company has registered in California and is qualified to do business in this state. Similar to the information required for corporate applicants, a limited liability company applicant must provide the following information:

Operating Agreement. All limited liability companies must have an operating agreement. Generally, operating agreements specify who will manage the business, who the owners are, how decisions will be made, and much more. For licensing’s purposes, an operating agreement need only identify the names of the members (and any managers) and state the name of the organization. Also, the operating agreement must be signed by each member and manager.

The names, titles, business addresses, and phone numbers of all managing members, managers, and non-managing members holding a 10 percent or more interest in the limited liability company.

NOTE: Generally, no resolution or other authorization from the limited liability company is necessary to identify who has authority to act on behalf of the applicant. The operating agreement should specify who has such authority and typically managers and managing members may act for the limited liability company. If the application is signed by an individual who is not identified in the operating agreement as a manager or a managing member (or the individual does not have the authority in the operating agreement to act on behalf of the limited liability company), **then a proper written delegation of authority, consistent with the terms of the operating agreement, is necessary.**

**3-0495 B2. VERIFICATION OF ADMINISTRATOR
/DIRECTOR QUALIFICATIONS****3-0495**

Administrator/director qualifications and duties are found in licensing regulations. When applicable, these requirements must be verified by the following means by the applicant/licensee and provided to the licensing agency as part of Section B:

Education:

For Group Homes: Department issued certificate verifying completion of the initial 40-hour Group Home Certification Training Program, provided by an approved vendor.

Experience:

If required, written references are to be obtained by the applicant/licensee and submitted to the licensing agency. References are used solely to determine that the experience requirement is met (i.e., the person worked there, in the particular capacity, the specific duties performed, for a specified period of time). If it is not possible to obtain a written reference (i.e., the person is out of business and there is no means of contact), the applicant/licensee may submit a declaration signed by the Administrator stating why written references are not able to be obtained, that he/she worked in a particular capacity at a particular place/facility, the specific duties performed, and for a specified period of time.

3-0499 B3. VERIFICATION OF SOCIAL WORK STAFF**3-0499****Education**, when required:

Transcripts from an accredited school.

[California Code of Regulations, Title 22, Sections:
84001(a)(2)/84065(d)(2)(C)/88065.3(b)(1)]

Experience, when required:

References are used solely to determine that the experience requirement is met (i.e., the person worked there, in the particular capacity, the specific duties performed, for a specified period of time).

3-0505 B4. JOB DESCRIPTIONS**3-0505**

As part of the operation of the facility, the applicant must establish staff positions that will be responsible for specific tasks or duties. The applicant must provide the licensing agency with a job description for each of these classifications. The description needs to be clear, concise and relevant to the position for which the person is being hired. Additionally, job descriptions will be compared to the Personnel Report (LIC 500) and there must be a job description for each classification listed on the Personnel Report (LIC 500).

3-0505 B4. JOB DESCRIPTIONS (Continued)**3-0505**

The following areas must be addressed in each job description:

Duties and responsibilities.

[California Code of Regulations, Title 22, Section: 80066(a)(8)]

Minimum qualifications that correspond to licensing requirements. (This is to include any special licenses or certificates, if they are required by the profession.)

Special skills needed to perform the job.

[California Code of Regulations, Title 22, Sections: 80065/84065/86565]

Lines of supervision (This is to include supervision given and to whom, as well as, supervision received and from whom).

[California Code of Regulations, Title 22, Section: 80022(b)(5)]

3-0509 B5. PERSONNEL POLICIES**3-0509**

Personnel Policies are to describe those regulatory requirements commonly associated with personnel practices/policies such as staff coverage, staff qualification, work schedules and conditions of employment.

The following areas are to be included in this section.

Work hours/shifts for documentation of positions to provide coverage with competent staff.

[California Code of Regulations, Title 22, Sections:
80065(a) & (k)/80066(e)]

Abuse reporting procedures. Documentation must indicate that employees will be informed of their responsibilities to report to the licensing agency as well as to the local law enforcement and child protective agencies.

[California Code of Regulations, Title 22, Section:
80061(b)(1) & Penal Code]

Hiring practices; including screening of employees for necessary education and experience and informing employees that conditions of their employment include fingerprint clearance, statement of prior criminal convictions, TB clearance, physical examination/health questionnaire, child abuse index check. (This is to ensure that employees are competent and aware that they have to meet these conditions for initial and continued employment.)

[California Code of Regulations, Title 22, Sections: 80019 & 80065(g)]

3-0509 B5. PERSONNEL POLICIES (Continued)**3-0509**

Other federal and State agencies have requirements that businesses must adhere to in relation to personnel practices, such as, minimum wages, Workmen’s Compensation and Fair Employment Practices. These agencies monitor the business’s compliance with their regulations. Community Care Licensing does not enforce other agencies’ regulations. It is important, however, that applicants contact these agencies in order to determine that established practices are not in conflict with laws or regulations.

NOTE: The **Application for a Community Care Facility (LIC 200)** includes the following stipulations, amongst others:

1. APPLICANT(S)/LICENSEE(S) RESPONSIBILITIES:

- A. In addition to complying with the Health and Safety Codes and Regulations applicable to Licensing and Fire Safety, I/we understand that there may be other state, federal and/or local laws, which are not enforced by this agency that may need to be met such as: zoning, building, sanitation and labor requirements.
- B. I/we declare under penalty of perjury that the statements on this application and on the accompanying attachments are correct to the best of my/our knowledge.
- C. In addition to complying with the health and safety codes and regulations applicable to licensing and fire safety, I/we understand that there may be other state, federal and/or local laws, which are not enforced by this agency, that may need to be met such as: zoning, building, sanitation and labor requirements.
- D. I/we have read and understand the statutes and regulations which pertain to my/our licensing category prior to the issuance of my/our license.
- E. I/we shall ensure that all persons subject to fingerprint requirements shall have a department of justice clearance or a criminal record exemption prior to employment, residence or initial presence in the facility as required.
- F. If I/we operate a facility which provides care and supervision to children, I/we shall ensure that a child abuse index check form for each person subject to fingerprint requirements is submitted to the department of justice as required.
- G. I/we shall obtain approval from the licensing agency prior to making any change(s) that affect the terms of the license.

3-0515 B6. IN-SERVICE TRAINING FOR STAFF**3-0515**

As part of the plan of operation of the facility, the applicant must establish a plan for in-service training for staff and submit the plan to the licensing agency at the time of application [California Code of Regulations, Title 22, Section: 80022].

The plan must address the following:

Which staff will receive training (new staff versus on-going staff), how it is determined which staff will receive training, and who will do the training.

[California Code of Regulations, Title 22, Sections: 80022(b) & 80065(f)]

Topics to be covered in the training. (This is to be reviewed in order to ensure that the topics covered are pertinent to the facility/client type and the duties performed.)

[California Code of Regulations, Title 22, Sections:
80022(b)(6)/80065(f)/84065(h)]

3-0520 B7. FACILITY PROGRAM DESCRIPTION**3-0520****COMMUNITY CARE FACILITIES**

The Program Description should be a general overview of the program philosophies, goals, basic and optional services and activities to be provided by the applicant. This can be explained as what the public would want to know about the facility and could be used as an advertisement for the facility.

A pamphlet or brochure advertising the facility is also acceptable providing all of the following elements are included:

Brief statement of the purpose, goals and program methods (program philosophy).

[California Code of Regulations, Title 22, Section: 80022(b)(1)]

**Days and hours of operation.

[California Code of Regulations, Title 22, Section: 80018(d)(8)]

Plan of activities to be provided in the facility. This must include who is involved and who conducts these activities.

[California Code of Regulations, Title 22, Section: 84079]

Schedule of planned activities to include social, educational and recreational activities.

[California Code of Regulations, Title 22, Section: 84079]

**Description of the basic services provided in the facility.

[California Code of Regulations, Title 22, Section: 80068(b)(1)]

**Description of the optional services provided in the facility.

[California Code of Regulations, Title 22, Section: 80068(b)(2)]

3-0520 B 7 FACILITY PROGRAM DESCRIPTION (Continued)**3-0520**

Description of how the facility is going to handle medical emergencies if a client becomes ill or is injured.

[California Code of Regulations, Title 22, Section: 80075(f)]

Procedure for handling and assisting clients/residents with self-administered medications.

[California Code of Regulations, Title 22, Section: 80075(b)]

Transportation arrangements.

[California Code of Regulations, Title 22, Section: 80022(b)(10)]

Any facility, in which the owner does not reside, that provides care for six or fewer residents, shall provide a procedure (approved by the licensing agency) for immediate response to incidents and complaints.

[Health and Safety Code Sections 1524.5 & 1569.175]

(Information requested in areas designated by ** may also appear in Reference Material, B9. Admission Policies, Section 3-0530 or on the Application for a Community Care Facility or Residential Care Facility for the Elderly License (LIC 200)).

3-0525 B8. DISCIPLINE POLICIES**3-0525**

The applicant shall describe the type(s) of discipline that will be used and under what conditions each type will be used. The discipline policies shall also address the following, when appropriate:

Types of discipline not permitted

[California Code of Regulations, Title 22, Sections: 80072(a)(7)-(8)]

NO CORPORAL PUNISHMENT/VIOLATION OF PERSONAL RIGHTS

[[California Code of Regulations, Title 22, Sections: 80072(a)(7)-(8)]:
80072(a)(3)/84072/84072.1]

Provisions for contact with parents/placement representatives (conferences).

Grounds for dismissal/eviction/relocation/removal from placement

[California Code of Regulations, Title 22, Sections: 80068.3(b) & 86068.4]

NOTE: Prone containment and like techniques shall not be included as part of the facility’s discipline policy nor written into individual client’s needs and services plan. Such techniques are not to be a planned step in modifying behavior. They are considered to be only last resort emergency physical control techniques designed to prevent injury to bystanders, the assaultive client, other clients, and staff.

3-0525 B8. DISCIPLINE POLICIES (Continued)**3-0525**

The Department will evaluate discipline policies to ensure that these policies do not violate personal rights and that there is a clear statement that there will be no corporal or unusual punishment used. If there is reason to believe that the applicant does not understand what constitutes corporal punishment or a violation of personal rights, or the statements have not been made clear, then further information may be requested.

3-0530 B9. ADMISSION POLICIES**3-0530**

The admission policies must provide information relevant to the category of clients accepted for care, ages of the clients, rates and refund policies, acceptance and retention limitations, pre-admission appraisals, needs and services plans, medical assessments and an Admission agreement which contains the typical information a client or his or her authorized representative would need to know prior to entering a facility. A description of the following items must be included in this section:

Persons accepted for care, including age range and compatibility determination process, when necessary.

[California Code of Regulations, Title 22, Sections:
84022/86022/86522/ 88022]

Intake procedures for placement in Group Homes.

[California Code of Regulations, Title 22, Section: 84068.1]

Criteria for determining appropriateness of placement given individual client’s needs (i.e., interviews, procedures for obtaining and developing the necessary paperwork).

[California Code of Regulations, Title 22, Section: 84068.1]

Needs and Services Plan.

[California Code of Regulations, Title 22, Sections:
83068.2/84068.2/86068.2/88068.2]

Client’s Rights/Personal Rights. (At a minimum there should be a statement that clients/residents will be informed of their rights and that client/resident’s rights will not be violated.)

[California Code of Regulations, Title 22, Section: 80072]

Medical Assessment.

[California Code of Regulations, Title 22, Section: 80069]

Emergency Information.

[California Code of Regulations, Title 22, Sections: 86023 & 86523]

Sign-in and Sign-out Procedures.

[California Code of Regulation Section: 86580(b)]

3-0530 B9. ADMISSION POLICIES (Continued)**3-0530**

Immunization Requirements.

[California Code of Regulations, Title 22, Section:
83070/84069.1/86070/86570/88069.2/88069.3/88070/89370/89185]

Physical Examination Requirements (including TB testing).

[California Code of Regulations, Title 22, Section: 80069]

Admission agreement. The admission agreement is to include the following information. (The Admission Agreement Guide for Residential Facilities (LIC 604) is an acceptable form which covers the areas necessary for residential facilities.)

[California Code of Regulations, Title 22, Sections: 80068 & 84068.1]

- Description of basic services offered. (All basic services must be either offered or, if a client is currently obtaining specific services through other means, planned for in the event the service is needed at a future date.)
- Description of optional services offered. (Reviewed to ensure that required “Basic Services” are not included in this description.)
- Transportation services (if offered).
- Payment provisions, such as rates for basic and optional services, payor, due date, and frequency of payments. (Reviewed to ensure provisions are clear and rate charged to SSI/SSP recipients does not exceed the established maximum.)
- Modification conditions. (Reviewed to ensure at least 30 day advanced notice for rate change.)
- Refund Policy. (Reviewed to ensure that the policy is clear and is not in violation of statute or regulations.)
- Rights of the licensing agency.
[California Code of Regulations, Title 22, Section: 80068(c)(6)]
- Reasons for termination. (Reviewed to ensure that this section is not in violation of licensing regulations.)
[California Code of Regulations, Title 22, Section: 84068.4]
- Visiting policy.
[California Code of Regulations, Title 22, Section: 80068(c)(8)]
- House rules.
[California Code of Regulations, Title 22, Section: 84072(c)]
- Signed and dated by all parties involved.
[California Code of Regulations, Title 22, Section: 80068(d)]

3-0535 B10. SAMPLE MENU**3-0535**

It is important for the licensing agency to verify that the applicant is familiar with the provision of balanced meals, acceptable portion sizes and general principles of good nutrition. A sample menu is needed in order to meet this requirement.

The sample menu will include:

One week’s worth of planned meals (to include snacks) from the four basic food groups:

[California Code of Regulations, Title 22, Sections: 80022(b)(9) & 80076(a)(5)]

Portion sizes. Evaluate portion sizes using the handbook section found in the regulations.

[California Code of Regulations, Title 22, Section: 80076(a)(1)]

Time meals served. (Reviewed for time elapsed between last meal of the day and first meal of the next day.)

[California Code of Regulations, Title 22, Sections: 80022(b)(9) & 80076(a)(2)(A)]

3-0540 B11. CONTROL OF PROPERTY**3-0540**

It is necessary for the licensing agency to determine that the applicant has control over the property that is being or is to be used as a facility. Once licensed, the licensee must be able to ensure that the facility and grounds are maintained and are in compliance with regulations (i.e., repairs made to the physical plant, fences around swimming pools, etc.).

Name and address of the owner must be provided.

[California Code of Regulations, Title 22, Section: 80018(d)(3)]

Evidence of control of property should include one of the following:

- I. A copy of the executed lease agreement or rental agreement between the property owner and the applicant must be provided. (There are no requirements related to length of the lease or rental agreement.)

If the agreement precludes the use of the property as a facility, it prevents the applicant from achieving compliance with regulations, or the operation of a facility is contrary to the terms of the agreement, the application must be denied/withdrawn as the applicant would not have adequate control over the property (i.e., the agreement states that Susie and Mary are to be the persons residing in the house and anyone else needs to be approved, the agreement states the property cannot be used for business purposes and the applicant wishes to operate a facility for more than six persons).

3-0540 B11. CONTROL OF PROPERTY (Continued)**3-0540**

- II. Proof of ownership must be provided if the applicant is the owner of the property.

Refer to question 29 on the **Supplemental Financial Information (LIC 401A)** for the applicant’s response. Ownership may be verified by a Deed or Property Tax bill. If the applicant is purchasing the property and it is federally insured, the mortgagor’s name and loan balance should appear on the credit report. The documents provided must contain the facility **street address** within the document or its attachments.

- III. A court order or similar document which shows the applicant’s authority to control the property pending outcome of a probate proceeding or an estate settlement.

3-0545 B12. BACTERIOLOGICAL ANALYSIS OF WATER**3-0545**

This is required for **all** categories at initial licensure if water for consumption is from a **well or other** private source, **regardless of the number of clients served**. Submit evidence of on-site inspection of the source of the water and a bacteriological analysis by a local or State health department or other qualified laboratory which establishes the safety of the water. If the analysis provided gives only a chemical/bacteriological analysis and not a specific statement as to whether or not the water is safe to drink, request that the applicant get such a statement from the laboratory.

[California Code of Regulations, **Title 22**, Section: 80021]

This analysis must be signed by an appropriate qualified agency representative.

3-0549 OTHER INFORMATION REQUIRED BY STATUTE OR REGULATION**3-0549**

Theft and Loss Policy. This policy shall include the provisions for inventory of personal property at the time of admission, modification of the inventory, practices used to safeguard personal property upon the death of a resident, documentation and reporting of loss of personal property, method for marking personal property, and method for providing a secure area for safekeeping of resident personal property.

[Health and Safety Code Section: 1569.153]

APPLIES ONLY TO COMMUNITY CARE FACILITIES WITH NON-RESIDENT OWNERS

Neighborhood Complaint Policy. Facilities with nonresident owners shall establish procedures for immediate response to incidents and complaints. The procedures must include a time when the owner, licensee or designee will be available to meet with neighborhood residents.

[Health and Safety Code Section: 1524.5]

3-0555 ADDITIONAL APPLICATION REQUIREMENTS FOR GROUP 3-0555
HOMES, SHORT-TERM RESIDENTIAL THERAPEUTIC
PROGRAMS AND FOSTER FAMILY AGENCIES

LIC 9106 - FOR GROUP HOMES

For complete instructions refer to Group Home Program Statement General Instructions ([LIC 9106](#)).

LIC 9106A - FOR SHORT-TERM RESIDENTIAL THERAPEUTIC PROGRAMS
(STRTP)

For complete instructions refer to Short-Term Residential Therapeutic Program Statement General Instructions (LIC 9106A).

Applicant should be aware that written statements of support from a county’s social services or probation departments are required to be included as part of the application.

Applicants must submit two sets of the STRTP [Plan of Operation and Program Statement](#). One set will be sent to Foster Care Rates Bureau and the other set will be kept by the licensing agency.

The licensing agency will not accept photocopied signatures on required documents.

Applicants should make a third set of STRTP Application documents for their own files.

LIC 9128 - FOR FOSTER FAMILY AGENCIES

For complete instructions refer to Foster Family Agency Program Statement ([LIC 9128](#)).

Applicants must submit two sets of the FFA [Plan of Operation and Program Statement](#). One set will be sent to Foster Care Rates Bureau and the other set will be kept by the licensing agency.

The licensing agency will not accept photocopied signatures on required documents.

Applicants should make a third set of FFA Application documents for their own files.

3-0559 CLOSING COMPONENT I SESSION**3-0559**

- A. Address any remaining questions.
- B. Advise applicant to read applicable statute and regulations prior to completing application.
- C. Advise applicant to submit both A and B documents at one time.
 - 1. Use A and B guidelines in application booklet to assist in completion of application package.
 - 2. Do not start fingerprint clearance process, by Live Scan, until facility number is received.
- D. Applicants are responsible for contacting outside agencies regarding required documents.
- E. Advise applicant to check with placement agencies regarding the need for a particular facility type in their area.
- F. Remind group of remaining orientation requirements:
 - 1. Component II – Face-to-Face Interview
During the face-to-face interview the credit report may be reviewed and shown to the applicant. The applicant may note information from the credit report but may not retain the credit report or receive a copy of the report from the Community Care Licensing Division.

The applicant can obtain information on how to obtain a free copy of their credit report by contacting the following companies:

Individual Credit Reports

Equifax
Equifax Information Services, LLC
Consumer Disclosures
P.O. Box 740241
Atlanta, GA 30374-4094
1-(800) 685-1111
www.equifax.com

Corporate Business Reports

Experian Business Information
(888) 211-0728
www.experian.com

Should the applicant disagree with the contents of the credit report, they can dispute it by calling or writing to the same address or phone number as shown above.

3-0559 CLOSING COMPONENT I SESSION (Continued)**3-0559**

A form to be used by the applicant/licensee to request their credit report is provided as Letter D in Reference Material, Sample Letters to Applicant and for Applicant’s Use, Section 3-0579. Licensing will assume that the information on the credit report is correct unless the applicant delivers to the Licensing Program Analyst more up to date information, such as a current creditor statement(s) reflecting the actual outstanding balance(s) of credit accounts.

2. Component III – Category-specific orientation/training
- G. A Licensing Program Analyst will be assigned to each applicant.
1. Call applicant for clarification or specific questions.
 2. Notification of face-to-face interview by mail, email or phone.
- H. The law prohibits operating a facility without a license.
- I. Do not accept client for care until the license is issued.
- J. Pick up Orientation/Application Process Certificate of Completion (LIC 281C) at end of session.
1. Bring back to Component II and III.
- K. Bring statute and regulations for review purposes to Component III.

3-0565 APPLICATION BOOKLET: SECTION B CHECKLIST**3-0565****B 1 PARTNERSHIP AGREEMENT/ARTICLES OF INCORPORATION**

- ☐ Partnership Agreement
 - ☐ All general partners need to sign the application.
 - ☐ Name, residence and business address of each general partner.
 - ☐ Description of obligations/duties of each general partner, including whether or not each can act on behalf of the other.

3-0565 APPLICATION BOOKLET: SECTION B CHECKLIST (Continued) 3-0565

- ☐ Articles of Incorporation
 - ☐ Constitution and Bylaws
 - ☐ Board Resolution, including authorization to apply for a license and name of person authorized.
 - ☐ Board Officers’ names, titles and business and home addresses.
 - ☐ Names and addresses of 10 percent shareholders.

B 1 (a) ARTICLES OF ORGANIZATION FOR LIMITED LIABILITY COMPANIES

- ☐ Articles of Organization
 - ☐ Operating Agreement
 - ☐ Names, titles, and business and home addresses of manager(s), managing members and non-managing members holding 10 percent or more interest in the Limited Liability Company
 - ☐ Members, names, titles, business and home addresses

B 2 VERIFICATION OF ADMINISTRATOR/DIRECTOR QUALIFICATIONS**EDUCATION:**

- ☐ Transcripts

EXPERIENCE:

- ☐ Written References

CERTIFICATION:

- ☐ Group Homes and Short-Term Residential Therapeutic Programs (STRTPs). Copy of certificate.

3-0565 APPLICATION BOOKLET: SECTION B CHECKLIST (Continued) 3-0565**B 3 VERIFICATION OF SOCIAL WORK STAFF****EDUCATION:**

- ☐ Required
 - ☐ Transcripts

- ☐ Not required

EXPERIENCE:

- ☐ Required
 - ☐ Written References

- ☐ Not Required

B 4 JOB DESCRIPTIONS

- ☐ One for each classification
- ☐ Minimum qualifications
- ☐ Duties & responsibilities
- ☐ Lines of supervision

B 5 PERSONNEL RIGHTS

- ☐ Work hours/shifts
- ☐ Employee rights
- ☐ Abuse reporting procedures
- ☐ Hiring practices

3-0565 APPLICATION BOOKLET: SECTION B CHECKLIST (Continued) 3-0565**B 6 IN SERVICE TRAINING FOR STAFF**

- ☐ Which staff will be trained, how determined and who will train
- ☐ Topics covered

B 7 FACILITY PROGRAM DESCRIPTION**Community Care Facilities**

- ☐ Statement of philosophy, purpose, goals and program methods
- ☐ Special services, as applicable (e.g., delayed egress, hospice care, secured perimeters, incidental medical care).
- ☐ Days and hours of operation
- ☐ Plan of activities
 - ☐ Who is involved
 - ☐ Who conducts activities
 - ☐ Social, educational and recreational activity schedule
- ☐ Description of basic services
- ☐ Description of optional services
- ☐ Procedures for medical emergencies
- ☐ Medication procedures
- ☐ Community resources and consultants to be used
- ☐ Procedure for response to incidents and complaints (non-resident owner, six-bed facility)

3-0565 APPLICATION BOOKLET: SECTION B CHECKLIST (Continued) 3-0565**B 8 DISCIPLINE POLICIES**

- ☐ Type of discipline to be used and under what conditions
- ☐ Types of discipline not permitted
- ☐ Provisions for parent/placement contact/conferences
- ☐ Grounds for dismissal/eviction/relocation/removal

B 9 ADMISSION POLICIES

- ☐ Persons accepted for care
 - ☐ Age range
 - ☐ Compatibility determination process
- ☐ Intake procedures for Group Homes
- ☐ Criteria for determining appropriateness (interviews, procedures for obtaining and developing documentation)
- ☐ Needs and Services Plan
- ☐ Clients Rights/Personal Rights
- ☐ Medical Assessment
- ☐ Pre-Admission Appraisal Plan
- ☐ Emergency Information
- ☐ Sign-in and Sign-out Procedure
- ☐ Immunization Requirements
- ☐ Physical Examination Requirements, including TB tests

3-0565 APPLICATION BOOKLET: SECTION B CHECKLIST (Continued) 3-0565

- ☐ Admission Agreement
 - ☐ Description of basic services
 - ☐ Description of optional services
 - ☐ Payment Provisions
 - ☐ Rate for basic services
 - ☐ Rate for optional services
 - ☐ Payor
 - ☐ Due Date
 - ☐ Frequency of payments
 - ☐ Modification conditions
 - ☐ Refund policy
 - ☐ Licensing agency rights
 - ☐ Reasons for termination
 - ☐ Visiting policy
 - ☐ House rules
 - ☐ Signed and dated

B 10 SAMPLE MENU

- ☐ Meals for one week
- ☐ Portion sizes
- ☐ Times of meals

3-0565 APPLICATION BOOKLET: SECTION B CHECKLIST (Continued) 3-0565**B 11 CONTROL OF PROPERTY**

- ☐ Name and address of owner
- ☐ Copy of lease or rental agreement
- ☐ Deed or Property Tax bill, if applicant is the owner

B 12 BACTERIOLOGICAL ANALYSIS OF WATER

- ☐ Not applicable
- ☐ Water safety established
- ☐ Signed by appropriate qualified agency representative

3-0569 APPLICATION FOLLOW-UP ACTIVITIES**3-0569**

There are certain letters and verifications that must be sent out upon acceptance of an application (Sections A and B) and prior to licensure. It is the responsibility of the **Licensing Program Analyst** to ensure that the required documentation has been received prior to approving the application. Those documents include:

- **Criminal Record Clearance** – Fingerprint submission instructions are sent to the applicant upon receipt of a completed application and the assignment of a facility number. These clearances apply to all facility categories.
- **Child Abuse Index Check** – The form and instructions are sent to the applicant upon receipt of a completed application and the assignment of a facility number. These checks are required only for facilities that serve children.
- **Fire Clearance** – The request for a fire inspection and clearance is generated in the Regional Office, upon receipt of a completed application. Fire clearances are required for all categories. Refer to category-specific **statute and** regulations for more detail on exceptions.
- **Overconcentration** – An overconcentration letter, generated at the Regional Office upon receipt of a completed application, is sent to the local planning department to verify there is not another licensed facility within 300 feet of the proposed facility site. This requirement **applies to all residential care facilities.**
- **Letter to Board Members** – This letter, which is generated at the Regional Office, is sent to all Board Members upon receipt of a Corporate application.

3-0569 APPLICATION FOLLOW-UP ACTIVITIES (Continued)**3-0569**

- **Notification to Special Education Local Plan Area** – This notification, which is generated at the Regional Office, upon receipt of a **Group Home** or **Small Family Home** application, is sent to the administrator of Special Education Local Plan Area along with a copy of the **Application for a Community Care Facility (LIC 200)**. Upon licensure, the Regional Office must also send to the Special Education Local Plan Area a copy of the facility license. These procedures must also be followed when an increase in capacity is requested by a **Group Home** or a **Small Family Home**.
- **Finances** – Bank account verification and credit report information will be used to verify the financial statements. This includes analyzing the **Balance Sheet Supplemental Schedule (LIC 403A)** with the applicant’s credit report. Page 2 of the **403A** is to reflect all debts of the applicant. Should a debt appear on the credit report and not be reflected on the **403A**, the Licensing Program Analyst should make notations on the **403A** adding the new information in pencil. The shaded area of the **403A** may be used to note the credit report information. Discrepancies or concerns between the credit report and the **LIC 403A** must be resolved by requesting the applicant to bring information to the face-to-face **interview** which will clear up the matter. (Refer to Section **3-0325** for more information on this subject.)

3-0575 COMPONENT II: FACE-TO-FACE INTERVIEW**3-0575**

During Component II of the orientation process, the Community Care Licensing Division reviews the application, including all supporting documentation, and then schedules the face-to-face interview with the prospective licensee to discuss the application, resolve any questions, and determine whether the facility is capable of providing the services specified for the facility type being applied for.

3-0579 I. SAMPLE LETTERS TO APPLICANT AND FOR APPLICANT’S USE**3-0579****A. Sample Letter to Notify Applicant of Face-to-Face Interview Appointment**

(Type/stamp in Regional Office Address)

(Today’s date)

Dear Applicant:

Your application for a (facility category) has been received and assigned to me for processing. An interview has been scheduled for (date, time and location) to discuss your application and facility program. Please plan on having your administrator/director attend the interview with you.

The purpose of this interview is to discuss your application package, resolve outstanding concerns that may exist and answer any questions you may have after attending the orientation session.

Please bring your California Driver License or other photo identification to the interview and advise your administrator/director to do the same. If there are questions concerning your credit report, an attachment requesting additional information will accompany this letter. Please bring this information to the **scheduled** appointment along with the **Orientation/Application Process Certificate of Completion (LIC 281C)**.

If you are unable to attend the interview as scheduled, or have any questions regarding the application process, please contact me at ().

Sincerely,

Signature

3-0579 I. SAMPLE LETTERS TO APPLICANT AND FOR APPLICANT’S USE (Continue)**3-0579****B. Sample Letter for Financial Statement Rejection due to Reporting Discrepancies**

This sample letter is to be used by the intake Licensing Program Analyst when the liabilities on the credit report reveals discrepancies from what the applicant submitted on the Balance Sheet Supplemental Schedule (LIC 403A). In the Intranet Community Care Licensing Division Common Library, this letter is referred to as the “Financial Statement Rejection Letter”. It is designed to be used as an attachment to the letter setting up the face-to-face interview.

Applicant: _____

The California Department of Social Services, Community Care Licensing Division adheres to the provisions and regulations set forth in the following statutes: The Community Care Facilities Act, the California Child Care Act, the California Residential Care Facilities for the Elderly Act, and other statutes, including those governing Residential Care Facilities for the Chronically Ill. Common to these statutes is a requirement that an applicant provide: “Evidence satisfactory to the department....[that] the applicant has sufficient financial resources to maintain the standards of services required by the regulations adopted pursuant to ...”

Health and Safety Code Sections 1520(c) Community Care Facility, 1596.95(c) Child Care Centers, 1569.15(c) & 1569.15(a)(4) Residential Care Facilities for the Elderly, 1568.04(a)(2) Residential Care Facilities for the Chronically Ill.)

To ensure you have the resources necessary to meet the operating costs for the care and supervision of clients/residents, an Equifax Credit Report has been obtained on your application to open the (type of facility) located at (location). The credit report is used by the California Department of Social Services to verify the information you submitted on the Balance Sheet (LIC 403), the Balance Sheet Supplemental Schedule (LIC 403A), the Monthly Operating Statement (LIC 401) and the Supplemental Financial Information statement (LIC 401A).

The Community Care Licensing Division obtains credit reports on all applicants for residential care facilities. The Community Care Licensing Division is entitled to the credit report information based on Section 604(3)(D) of the Fair Credit Reporting Act which states the following:

A consumer reporting agency may furnish a consumer report to a person which it has reason to believe “... intends to use the information in connection with a determination of the consumer’s eligibility for a license or other benefit granted by a governmental instrumentality required by law to consider an applicant’s financial responsibility or status ...”

3-0579 I. SAMPLE LETTERS TO APPLICANT AND FOR APPLICANT’S USE (Continue)**3-0579**

A review of your credit report and the financial information you furnished have revealed some discrepancies. The information contained in the credit report will be used to process your application unless you provide us with more accurate documentation at the second component of the application process (often referred to as the face-to-face meeting). This meeting has been scheduled for _____.

At this meeting, please bring information, such as your most recent statements from the creditor or other current documentation which supports your financial position on the credit accounts and/or liabilities referred to on the attached summary.

The process for removing inaccurate information, if any, contained on your Equifax Credit Report will be shared with you at this meeting. A copy of the credit report will be reviewed with you. If you have any questions, please contact me at the phone number referred to previously.

Summary of Applicant’s Credit Accounts and/or Liabilities

Applicant/Licensee _____

Creditor or Agency	Amount Due per Credit Report
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____
6. _____	\$ _____
7. _____	\$ _____
8. _____	\$ _____
9. _____	\$ _____
10. _____	\$ _____
11. _____	\$ _____
12. _____	\$ _____
13. _____	\$ _____
14. _____	\$ _____
15. _____	\$ _____
16. _____	\$ _____
17. _____	\$ _____
18. _____	\$ _____
19. _____	\$ _____
20. _____	\$ _____
21. _____	\$ _____
22. _____	\$ _____
23. _____	\$ _____

3-0579 I. SAMPLE LETTERS TO APPLICANT AND FOR APPLICANT’S USE (Continue)**3-0579****C. Sample Letter for Financial Statement Rejection due to Excessive Liabilities**

This sample letter is to be used by the intake Licensing Program Analyst when the total liabilities on the credit report exceed the total liabilities reported by the applicant on line 27 of the Balance Sheet (LIC 403) by \$10,000 or more. This letter which is referred to as the “Financial Statement Rejection Letter” is found in the Community Care Licensing Division Common Library on the Intranet.

(Type/stamp in Regional Office Address)

(Today’s date)

Dear Applicant:

Your application for a (facility category) has been received. Before this office can proceed with the processing of your application, please read this information and take the steps necessary to complete our request.

The California Department of Social Services, Community Care Licensing Division adheres to the provisions and regulations set forth in the following statutes: The Community Care Facilities Act, the California Child Care Act, the California Residential Care Facilities for the Elderly Act, and other statutes, including those governing Residential Care Facilities for the Chronically Ill. Common to these statutes is a requirement that an applicant provide: “Evidence satisfactory to the department...[That] the applicant has sufficient financial resources to maintain the standards of services required by the regulations adopted pursuant to ...”

(Health and Safety Code Sections: 1520(c) Community Care Facilities; 1596.95(c).)

To ensure you have the resources necessary to meet the operating costs for the care and supervision of clients/residents, an Equifax Credit Report has been obtained on your application to open the (type of facility) located at (location). The credit report is used by the California Department of Social Services to verify the accuracy of the information you submitted on the Balance Sheet (LIC 403), the Balance Sheet Supplemental Schedule (LIC 403A), the Monthly Operating Statement (LIC 401) and the Supplemental Financial Information statement (LIC 401A).

The Community Care Licensing Division obtains credit reports on all applicants for residential care facilities. The Community Care Licensing Division is entitled to the credit report information based on Section 604(3)(D) of the Fair Credit Reporting Act which states the following:

**3-0579 I. SAMPLE LETTERS TO APPLICANT AND FOR
APPLICANT’S USE** (Continue)**3-0579**

A consumer reporting agency may furnish a consumer report to a person which it has reason to believe “... intends to use the information in connection with a determination of the consumer’s eligibility for a license or other benefit granted by a governmental instrumentality required by law to consider an applicant’s financial responsibility or status...”

A review of your credit report and the financial information you furnished have revealed some significant discrepancies. The processing of your application is being postponed until you reconcile the differences between the credit report and debt you reported on your Balance Sheet (LIC 403) and Balance Sheet Supplemental Schedule (LIC 403A). In order for you to complete this reconciliation, you will need to obtain a copy of your credit report from Equifax. The procedure for you to obtain a free copy of your credit report is available by calling Equifax toll free at (800) 685-1111 or complete the attached transmittal letter to Equifax and mail it to:

Equifax
Equifax Information Services LLC
Consumer Disclosures
P.O. Box 740241
Atlanta, GA 30374-4094
1-800-685-1111

Should you disagree with the contents of the credit report, you can dispute it by calling or writing Equifax at the same address and phone number.

After obtaining a copy of your credit report, make the necessary adjustments to your Balance Sheet (LIC 403) and Balance Sheet Supplemental Schedule (LIC 403A) or take the necessary steps to remove any inaccurate information contained on your credit report. Once completed, resubmit the corrected reports to the Community Care Licensing Division Regional Office processing your application. Upon receipt of this information, the Regional Office will resume the processing of your application. Failure to resubmit these forms within 30 days may initiate an action to deny your application.

If you have any questions regarding this letter, please contact me at ().

Sincerely,

Signature

3-0579 I. SAMPLE LETTERS TO APPLICANT AND FOR APPLICANT’S USE**3-0579**

(Continue)

D. Sample Letter for Applicant to Dispute Credit Report Information

Equifax Information Services LLC
Consumer Disclosures
PO Box 740241
Atlanta, GA 30374-4094

To whom it may concern:

On _____, the California Department of Social Services stopped the processing of my application for a license to operate a community care facility based on information contained on my Equifax Credit Report that you provided to them. In order to address this problem, please provide me with a free copy of my credit report.

Send the credit report as soon as possible to:

Here is my personal information necessary for you to run my credit report.

Name (first, middle, last) _____
Residence address _____
City, State, Zip Code _____

Social Security Number _____
Birth Date _____

My spouse is a co-applicant. My spouse’s personal information is as follows:

Name (first, middle, last) _____
Residence address _____
City, State, Zip Code _____

Social Security Number _____
Birth Date _____

Sincerely,

Signature

This letter is found on the Intranet in the Community Care Licensing Division Common Library under Credit and Business Report Information. The letter is the “Sample Dispute Letter (for Applicants).”

3-0585 II. CONDUCTING FACE-TO-FACE INTERVIEW**3-0585**

With the exception of Foster Family Homes category, a face-to-face interview will be conducted in the Regional Office or Statewide Program Office with all applicants and administrators/directors. This interview should not be conducted at the pre-licensing visit or any other facility visit. In the case of corporate applicants, the President of the Board or the Chief Executive Officer and the administrator/director will participate in the interview. If the President or the Chief Executive Officer is unable to attend, the responsibility must be delegated in writing by Board Resolution or a letter from the Chief Executive Officer to an individual that is an executive or officer within the corporation. In the case of limited liability companies the designated manager or designated managing member who prepared the Applicant Information (LIC 215) shall attend. The individual designated cannot be the on-site administrator/director.

The interview will be scheduled within ten calendar days of acceptance of the application and conducted within 30 calendar days from the date the letter scheduling the interview was mailed. These timeframes will allow the Licensing Program Analyst to do a comprehensive application review using Section A and B Guidelines, and to perform a preliminary verification of the material submitted. This will enable the Licensing Program Analyst to go into the interview prepared to discuss all elements of the application.

The intent of this interview is to establish a working relationship with the applicant; provide the applicant with needed information; obtain additional information on questionable areas of the application materials and determine whether or not the applicant/administrator/director understands their own program and the expectations of Community Care Licensing relative to health and safety standards. For this reason, the interview will be conducted without the presence of any consultants that may have been utilized by the applicant. However, this does not preclude the applicant from consulting with such individuals after the interview.

All initial application interviews will address the following list of items, but shall not preclude other areas that may need to be discussed for the purpose of determining whether or not the applicant has provided the licensing agency with the material needed to show, to the satisfaction of the evaluator (Department), that they have the knowledge, ability and resources to operate a facility in compliance with licensing laws and regulations.

1. Forms – Forms will have already been reviewed and compared in order to identify discrepancies with dates given for birth, graduation, work history and so on. The Licensing Program Analyst will discuss any discrepancies with the applicant. The Licensing Program Analyst will request original documents if copies were submitted.
2. Organization – Discuss administrative and staff responsibilities. This will include the “chain of command” from the licensee on down. In the case of corporate applicants, this will include the role and responsibilities of the Board of Directors, (Chief Executive Officer, President, Executive Director). In the case of limited liability companies this will include the role of managers, managing members and non-managing members, or others, holding 10 percent, or greater, ownership.

3-0585**II. CONDUCTING FACE-TO-FACE INTERVIEW (Continued)****3-0585**

3. Any written plans, policies or procedures submitted as part of the application that will affect the operation of the facility (i.e., discipline policies and procedures, program description).
4. Administrator/director qualifications and educational requirements (if applicable). This will include queries about past experience as it relates to being qualified and any transcripts, degrees, certificates or any like item. The Licensing Program Analyst will request original documents if copies have been submitted.
5. Finances – discussion related to finances will address information provided as part of the application and acquired from banking institutions as part of the financial verification. Information resulting from a credit report, when completed, will be discussed if there are questions about the applicant’s past/current financial practices and overall solvency. This may require the presence of or written input from an auditor.
6. During the face-to-face, the credit report may be reviewed with the applicant. The applicant may note information from the credit report but may not receive a copy of the report from the Community Care Licensing Division. If the credit report adversely affects the licensing process, the applicant is to be given the handout listing credit bureau contact information for the purpose of obtaining a free credit report.
7. Any previous experience(s) in a licensed facility as a licensee, administrator/director and/or staff. The Licensing Program Analyst will make the necessary Licensing Information System (LIS) inquiries and attempt to determine past and/or current associations. Determine if any disciplinary actions were or are being taken.

The Licensing Program Analyst should check the Licensing Information System (LIS) – Personnel History report. County licensing should check the Licensing Administrative Action Records System (LAARS) - Personnel Flagging Attachment website.

8. Any questions by the applicant which relate to specific laws/or regulations.

The Licensing Program Analyst conducting the interview will be responsible for addressing any application issues which may be specific to the category under discussion. For example, if an application is for a group home, then emphasis should be given to areas such as the program description, related to the client population to be served, discipline and staff qualifications.

3-0585 II. CONDUCTING FACE-TO-FACE INTERVIEW (Continued)**3-0585**

The above items do not represent an all-inclusive list of categories or subjects to be addressed. They are meant to be examples for addressing category-specific issues in an interview. The Licensing Program Analyst should also check the Regulation Interpretations and Procedures portion of the Evaluator Manual (also known as the Blues), which is arranged by facility type, and may provide additional information relevant to the interview.

If, at the time of the interview, the Licensing Program Analyst and the applicant cannot resolve an issue(s), the Licensing Program Manager will be consulted and will attend the interview if necessary. This may require an additional interview/conference. However, this should be the exception. Any controversial or sensitive matter(s) must be brought to the attention of management.

Upon completion of the interview, the applicant will be informed of the requirement to attend a category-specific training session and scheduled for the next available session. The pre-licensing visit may be conducted before or after the applicant attends Component III.

The Licensing Program Analyst will summarize the discussion with the applicant and clarify licensing expectations. Any requests being made by the licensing agency for additional information will be documented on the Facility Evaluation Report (LIC 809). In addition, when there are known areas of non-compliance at the time of the interview that must be corrected prior to licensure, the Licensing Program Analyst will document these areas on the Facility Evaluation Report (LIC 809). This information can be mailed in by the applicant or arrangements can be made for the Licensing Program Analyst to pick up at the pre-licensing visit. When documenting confidential/personal information for the file, the Detail Supportive Information (LIC 812) will be used.

NOTE: The Licensing Program Analyst will request and photocopy a driver license or picture identification of both the applicant and the administrator for inclusion in the application package.

3-0590 COMPONENT III: CATEGORY-SPECIFIC ORIENTATION/TRAINING**3-0590**

Component III of the orientation process is scheduled during the Face-to-Face Interview (Component II). Component III will consist of category-specific training to address areas of the regulations that are often not understood by the participant and which may contribute to the licensee's operating a problem or substandard facility. Emphasis during this session should be placed upon California Code of Regulations, Title 22, Article 6, "Continuing Requirements" and Article 7, "Physical Environment" as they relate to the category for which the orientation session is being provided. Again, it is during this session that the licensing staff and/or appropriate guest speaker(s) will provide detailed training on technical aspects associated with the operation of a particular facility type.

**3-0590 COMPONENT III: CATEGORY-SPECIFIC
ORIENTATION/TRAINING (Continued)****3-0590**

During registration prior to opening the session, the Orientation/Application Process Certificate of Completion (LIC 281C) will be collected from each participant; this document will be returned to the applicant when the license is issued. A copy of the LIC 281C shall be retained in the facility file. A photo ID must be provided during registration to ensure the individual(s) is the same person(s) who attended Components I and II of the orientation.

The following sections shall be covered in Component III:

3-0595 I. OPENING THE SESSION**3-0595**

- A. Introduce yourself, identify the Regional Office, address and telephone number.
- B. Take care of “housekeeping” items – (e.g., time frame, breaks, location of restrooms)
- C. State purpose/intent of training – to acquaint participants with rules and regulations governing facilities licensed by the Community Care Licensing Division including regulations specific to each category type.
- D. Advise participants that during this session they will be using general regulations and category-specific regulations.
- E. Information provided during this session will assist applicants in the maintenance and operation of their facilities as well as provide them with information to avoid potential problem areas.
- F. Advise participants that questions should be limited to the specific regulations that are being discussed. As time permits, additional questions will be taken at the end of the presentation.

3-0599 II. GENERAL LICENSING REQUIREMENTS**3-0599**

Participants shall be asked to refer to the applicable statutes and regulations marked “General Licensing Requirements,” and a brief explanation shall be provided on how to read and understand the material.

Reference:

- California Code of Regulations, Title 22, commencing with Sections 80000 through 80088 for applicable children’s community care facilities except for Foster Family Homes, or
- California Code of Regulations, Title 22, commencing with Sections 89200 through 89587.1 for Foster Family Homes.

3-0599 II. GENERAL LICENSING REQUIREMENTS (Continued)**3-0599**

The information presented at the category-specific training will allow the Licensing Program Analyst to address in a group setting those items which some Licensing Program Analysts may have in the past discussed individually at the pre-licensing visit, such as record keeping, activities, equipment, supplies or personal accommodations. Therefore, the time spent at the pre-licensing visit should be reduced as the main focus of the visit is to ensure that the physical plant meets all requirements.

The following orientation outline provides the Licensing Program Analyst with an overview of sections of the General Licensing Requirements that must be covered with the entire group. Have the participants follow along with the regulations as you cover the following areas. This will provide them with hands-on use of the regulations. As the presenter goes through the various sections of the regulations, inform the participants what they can expect to encounter when operating a specific facility type (e.g., property destruction in Group Homes).

In addition, it is at this session that the participant will receive a detailed description of what to expect from the Licensing Program Analyst when compliance with a specific area of the regulations is being evaluated. For example, when the presenter is addressing medications, the discussion would involve what the Licensing Program Analyst is looking for when checking labels or central storage, as well as, the potential for citation of deficiencies (Type A, B or C), plan of corrections and the assessment of civil penalties if citations are not corrected.

The following outline is a general overview of what must be covered. It is not the Department’s intent to provide the Licensing Program Analyst with a script to follow, but to allow the Licensing Program Analyst the flexibility to add their own experiences and focus on problem areas to ensure substantial compliance with the regulations that must be covered in the following sections:

3-0605 III. CONTINUING REQUIREMENTS**3-0605**

The following licensing requirements apply to all facility types, unless specifically noted.

A. Reporting Requirements

1. Licensees must report all injuries, deaths, incidents of abuse, catastrophes, or epidemic outbreaks.
2. Organizational changes (licensee and/or personnel).
3. Location change.
4. Capacity change.

3-0605 III. CONTINUING REQUIREMENTS (Continued)**3-0605****B. Finances**

1. Licensees must have sufficient financial resources to maintain operation of facility and the care and supervision of clients.
2. Maintain financial records (except Small Family Homes).
3. Surety bond on file (if applicable).
4. Safeguard (keeping records) of client’s cash resources.

C. Accountability

1. Licensee shall be responsible for the care and supervision of clients.
2. Maintenance and operation of the facility.

D. Administrator

1. For Group Homes and Short-Term Residential Therapeutic Programs, the administrator must be 21 years or older.
2. Knowledge and ability to provide the type of care and supervision needed by clients and required by the Licensing agency.
3. Knowledge and ability to comply with applicable law and regulations.
4. Ability to direct the work of others.
5. Ability to maintain or supervise the maintenance of financial and other records.
6. Ability to carry out the facility’s policy, program and budget.
7. Ability to recruit, employ, train and evaluate qualified staff, and to terminate staff with licensee involvement.

E. Personnel Requirements

1. For Group Homes and Short-Term Residential Therapeutic Programs, staff must be 21 years and older if hired on or after October 1, 2014.
2. Must have a health screening (including TB test).

3-0605**III. CONTINUING REQUIREMENTS (Continued)****3-0605**

3. Criminal record clearance (discuss fingerprinting procedures and Live Scan program at this point along with the Child Abuse Central Index Check for State Licensed Facilities (LIC 198A) for the children’s programs). Inform applicant that all employees must have a criminal record clearance or exemption prior to initial presence in the facility.
4. On-the-job training.
5. Must not use clients as substitutes for required staff.

F. Personnel Records**Hand out Records to Be Maintained at the Facility (LIC 311 Series)**

1. Licensee must have on file employment applications (except Small Family Homes).
2. Health screening (including TB test).
3. Evidence of criminal record clearance or an exemption.
4. Records must be maintained at the facility for at least three years.

G. Admission agreements

1. Admission agreements must be maintained at facility for all clients.
2. Dated and signed by all clients or authorized representative.
3. All modifications to Agreement dated and signed.
4. Original copy on file and copy to client/authorized rep.
5. Licensee to comply with the Agreement.

H. Client Medical Assessment

1. Licensee must have a written medical assessment from licensed physician for each client.
2. Record of any infectious or contagious diseases.
3. TB test.
4. Special problems or needs.

3-0605**III. CONTINUING REQUIREMENTS (Continued)****3-0605**

5. Prescribed medications.
6. Ambulatory status.
7. All medical assessments must be kept in the facility file and retained for three years.

I. Clients/Children’s Records

1. All clients/children must have a separate, complete and current record on file.
2. Each record will contain the information listed in the regulations.
3. All client records are confidential.
4. The licensing agency shall have the authority to inspect and obtain copies of client/children’s records.

J. Register/Roster of Children

1. Facility must have an updated and current register/roster of clients/children in the facility with name, address, phone number, ambulatory status, physician name and authorized representative.
2. This is confidential information.

K. Personal Rights/Discipline

1. Clients/children may not be subjected to corporal punishment.
2. Clients/children may not be locked in rooms.
3. No restraints, except approved postural supports. (Discuss restraint procedures for Group Home, Short Term Residential Therapeutic Programs and Community Treatment Facilities if any applicants for these categories are present).
4. Visiting policy.
5. Free to contact their authorized representative or licensing agency.
6. Hand out Personal Rights (LIC 613) for community care facilities.

3-0605 III. CONTINUING REQUIREMENTS (Continued)**3-0605****L. Telephones**

1. Must have a working telephone on premises.
2. If facility has a payphone, must supply clients with coins.

M. Transportation

1. Transportation available to transport clients to medical or dental appointment or other planned off-site activities or appointments.
2. Facility must have a licensed driver.
3. Vehicle(s) must be maintained and in safe operating condition.

N. Health Related Services

1. Licensee must provide and ensure medical treatment for injuries and illnesses.
2. Medications are stored, locked, labeled and assistance given according to regulations.
3. Isolation room(s) available for ill clients.
4. First aid supplies available.
5. Names, addresses and telephone numbers must be posted for emergency agencies, including ambulance service, physicians, placement agencies, etc.
6. One staff person able to communicate with emergency personnel.
7. Name, address and telephone numbers of each client’s physician.
8. Consent forms on file to permit authorized medical care.
9. A record of centrally stored prescription medications to be maintained and retained for at least one year.
10. Ensure destruction of medication that is not taken with the client upon client’s termination from the facility.

O. Food Service

1. Facility must have sufficient food to meet needs of clients.
2. Sufficient perishable and non-perishables.

3-0605 III. CONTINUING REQUIREMENTS (Continued)**3-0605**

3. Menus shall be written at least one week in advance.
4. Copies of menus as served shall be dated and kept on file for at least 30 days.
5. Modified diets prescribed by client’s physician shall be provided.
6. Food areas, equipment, dishes and utensils clean.
7. Food protected from contamination.
8. Pesticides/toxics/cleaning compounds not stored with foods.
9. Free from rodents, insects or other vermin.
10. Home-canned foods shall be processed in accordance with standards of the University of California Agricultural Extension Service.

P. Care and Supervision

1. Licensee must have sufficient competent staff to meet the needs of clients.

Q. Planned Activities

1. Licensee must provide planned recreational activities that are age and developmentally appropriate.
2. Written plan.
3. Group interaction.
4. Social activities.
5. Physical activities.

3-0610 IV. PHYSICAL ENVIRONMENT**3-0610****A. Building and Grounds**

1. Facility is clean, safe, sanitary and in good repair.
2. Swimming pools are inaccessible.
3. Hazardous materials and firearms are inaccessible to clients.

3-0610 IV. PHYSICAL ENVIRONMENT (Continued)**3-0610****B. Fixtures, Furniture, Equipment and Supplies**

1. Toilets/hand washing facilities available and in operating condition to meet the needs of clients.
2. Hot water is not more than 120 degrees Fahrenheit.
3. Solid waste is stored, located and disposed of properly.
4. Furniture and equipment is in good repair, safe and free from hazards.

3-0615 V CATEGORY-SPECIFIC REGULATIONS**3-0615**

The following licensing requirements are in addition to the “General Licensing Requirements” and are specific to the following categories:

3-0620 VI. GROUP HOMES**3-0620****A. Administrator’s Qualifications – California Code of Regulations, Title 22, Section 84064**

1. For a capacity of 1 to 12, the administrator must have a master’s degree in behavioral science and one year of experience as a social worker; **or** bachelor’s degree and one year of administrative or supervisory experience; **or** two years of college and two years of administrative or supervisory experience; **or** completed high school and three years of administrative or supervisory experience.
2. For a capacity of 13 or more, the administrator must have a master’s degree in behavioral science and one year administrative or supervisory experience; **or** Master’s degree in behavioral sciences and two years of employment as a social worker; **or** Bachelors of Arts degree and three years administrative or supervisory experience; **or** two years of college and five years administrative or supervisory experience.
3. The Administrators shall have a Department-issued certificate verifying completion of the initial 40-hour Group Home Certification Training Program, provided by an approved vendor. Administrators are required to pass a test administered by the Department, and submit a completed application for an Administrator Certification.

3-0620 VI. GROUP HOMES (Continued)**3-0620**

- B. **Personnel Requirements** – California Code of Regulations, Title 22, Section 84065
1. The licensee must hire one or more facility manager(s) who will be at the facility at all times when one or more children are present.
 2. Facility must have at least one monthly consultation with a licensed psychiatrist, clinical psychologist or clinical social worker if serving children diagnosed as mentally ill.
 3. Facility must have at least one monthly consultation from a qualified mental retardation professional if serving children diagnosed as developmentally disabled.
 4. Must hire qualified social work staff to perform specific duties pertaining to the needs and services plan of each child in the facility.
 5. Must hire or designate one staff person to have primary responsibility for planned activities for children served if licensed for 13 or more. **NOTE:** California Code of Regulations, Title 22, Section 84079 requires an activity plan for all Group Homes.
 6. Facility must have a written plan for the job training and development, supervision and evaluation of all child care staff.
 - a. During the first year of hire, new direct care staff shall have eight hours of training prior to being responsible for residents, 16 additional hours within 90 calendar days of hire, and 16 hours of Annual Training.
 - b. After the first year of hire, direct care staff shall have 20 hours of Annual Training.
 - c. The above training is in addition to first aid Emergency Intervention Training and CPR.
- C. **Staff/Child Ratio** – California Code of Regulations, Title 22, Section 84065.5
1. From 7 a.m. to 10 p.m., there must be one on-duty child care staff person to each ten children, or fraction thereof, present.
 2. The number of child care staff shall be increased for those children who require special care such as children that are mentally disordered, developmentally disabled or physically handicapped.

3-0620 VI. GROUP HOMES (Continued)**3-0620**

- D. **Night Supervision** – **California Code of Regulations, Title 22, Section 84065.7**
1. For 12 or less children, one staff person from 10 p.m. to 7 a.m.
 2. For 13 to 30 children, one staff person awake and on duty from 10 p.m. to 7 a.m. and one person on call and capable of responding within 30 minutes.
 3. For 31 children or more, one child care staff person awake and on duty from 10 p.m. to 7 a.m. for the first 30 children, and one staff person awake and on duty for each additional 30 children or fraction of that amount.
 4. In facilities required to have a signal system, at least one staff person shall be responsible for responding.
- E. **Resident Councils** – **California Code of Regulations, Title 22, Section 84080**
1. A resident council shall be established at the request of the majority of the residents.
 2. Notice of meetings will be posted or residents will be informed and encouraged to attend these meetings if they are unable to read the posted notice.
- F. **Fixtures, Furniture, Equipment and Supplies** – **California Code of Regulations, Title 22, Section 84088**
1. Facilities may not have more than two children per bedroom.
 2. One toilet and washbasin for each six persons in the facility, including children and personnel.
 3. Individual privacy shall be provided in all toilet, bath and shower areas.
 4. A signal system is required in facilities with a capacity of 31 children or more, in facilities with separate floors or buildings and not providing full-time staff on each floor and in facilities having separate buildings and not providing full-time staff in each building when children are present.

3-0625 VII. SMALL FAMILY HOMES**3-0625**

- A. **Licensee Duties and Responsibilities** – **California Code of Regulations, Title 22, Section 83064**
1. Licensee must be regularly present in the home when children are in the home full time.
 2. Licensee shall be responsible for planned activities, care and supervision of children, handling emergencies, medical care, etc.

3-0625**VII. SMALL FAMILY HOMES (Continued)****3-0625**

- B. **Personnel Requirements** – California Code of Regulations, Title 22, Section 83065
1. Licensee shall provide for additional household help if necessary to meet the needs of the children.
 2. Licensee shall be permitted to use volunteers under certain conditions.
 3. All adults regularly in the home must be in good health, including a TB test.
- C. **Needs and Services Plan** – California Code of Regulations, Title 22, Section 83068.2
1. At time of placement, the licensee must obtain a written needs and services plan for each child.
 2. This needs and services plan must be updated at least annually or as frequently as necessary to ensure the needs of the child are met.
- D. **Building and Grounds** – California Code of Regulations, Title 22, Section 83087
1. No more than two children per bedroom.
 2. Children of the opposite sex, unless under five years old, shall not share a room.
 3. A licensee who accepts a child with a disability shall make necessary alterations and provisions as required to protect and meet the needs of the child.
- E. **Fixtures, Furniture, Equipment and Supplies** – California Code of Regulations, Title 22, Section 83088
1. The facility must have one operating toilet, sink and tub or shower available in the home.
 2. Additional equipment, aids, grab bars shall be provided for children with disabilities or who may need such items.
 3. Bunk beds of more than two tiers are not permitted.
 4. Fireplace must be made inaccessible.
- F. **Level of Care**
1. Hand out and review the “Interim Guide to the Evaluation of Small Family Homes Caring for Children with Special Health Care Needs.”

3-0630 VIII. OTHER AREAS TO BE COVERED**3-0630****A. Personal and Incidental Funds**

1. Licensee must be bonded if handling client cash resources of \$50 or more per client or more than \$500 for all clients in the facility.
2. Licensee’s abuse of client/resident funds is grounds for revocation of license.
3. Records of client cash resources and personal property must be maintained and available to the licensing agency.
4. Refer to Appendix D of the Evaluator Manual which is the Guide to Safeguarding Resident/Client Cash Resources.

B. Transfer of Clearance/Exemption

1. An individual shall be permitted to transfer a current criminal record clearance or exemption from one facility to another provided the clearance or exemption was processed through a state licensing Regional Office and the transfer is to another state licensing Regional Office.
2. Transfer must be requested by licensee.
3. Clearance transfer request must be on a Criminal Background Clearance Transfer Request (LIC 9182). Exemption transfer requests must be on a Criminal Record Exemption Transfer Request (LIC 9188).
4. Handout transfer request forms.

C. Exceptions/Waivers

1. Use of alternative concepts, programs, services, procedures, techniques, equipment, space, personnel qualification or staffing ratios may be considered, provided there is no health and safety risk to clients/residents in care.
2. Must be a written request.
3. Must be approved by the licensing agency prior to implementation.
4. Will be evaluated on a case-by-case basis.

3-0630 VIII. OTHER AREAS TO BE COVERED (Covered)**3-0630****D. Abuse Reporting**

1. Signed statements required for employees.
2. Review specific requirements for children.
3. Review required forms for specific client group.

3-0635 IX COMPONENT III HANDOUTS**3-0635**

There are certain forms and/or documents the applicant/licensee will be required to complete and maintain at the facility for all clients/residents and personnel. To assist the applicant, the following forms/documents will be handed out at Component III. These forms are divided into several categories.

The first category contains handouts to be distributed to all applicants attending an orientation.

ALL FACILITY CATEGORIES:

- LIC 198A Child Abuse Central Index Check for State Licensed Facilities (family child care homes; children’s residential homes and facilities; and adult residential facilities if, through an approved exception or a specialized license, they provide care to a person under age 18)
- LIC 198B Out-of-State Child Abuse/Neglect Report Request
- LIC 306 Reporting Requirements to Dept. of Social Services
- LIC 308 Designation of Facility Responsibility
- LIC 500 Personnel Report
- LIC 501 Personnel Record
- LIC 503 Health Screening Report (including TB Clearance)
- LIC 508 Criminal Record Statement
- LIC 508D Out-of-State Disclosure & Criminal Record Statement
- LIC 613B Personal Rights
- LIC 624 Unusual Incident/Injury/Death Report
- LIC 627B Consent for Medical Treatment
- LIC 9058 Applicant/Licensee Rights
- LIC 9182 Criminal Background Clearance Transfer Request
- LIC 9188 Criminal Record Exemption Transfer Request
- Appendix D A Guide to Safeguarding Resident/Client Cash Resources

The following additional forms are to be handed out for the applicable Children’s Residential Facility:

3-0635 IX COMPONENT III HANDOUTS (Continued)**3-0635****CHILDREN’S RESIDENTIAL (GROUP HOMES, SHORT-TERM RESIDENTIAL THERAPEUTIC PROGRAM, AND SMALL FAMILY HOMES)**

- LIC 311B Records to be Maintained in a Group Home
- LIC 311E Records to be Maintained in a Small Family Home
- LIC 313 Evidence of Program Consultant (Group Homes)
- LIC 601 Identification and Emergency Information
- LIC 602 Physician’s Report for Community Care Facilities
- LIC 603 Preplacement Appraisal Information
- LIC 622 Centrally Stored Medication and Destruction Record
- LIC 625 Appraisal/Needs and Services Plan
- LIC 9106 Group Home Program Statement
- LIC 9106A Short-Term Residential Therapeutic Program (STRTP)
Statement General Instructions
- LIC 9128 Foster Family Agency Program Statement
- [Neighborhood Complaint Policy](#) (for Group Homes with a capacity of six or less)
- Interim Guide to the Evaluation of Small Family Homes Caring for Children with Special Health Care Needs (Small Family Homes)

NOTE: Forms without the LIC number or documents created to meet the intent of statutes and/or regulations must not be distributed without approval from the Forms Management Coordinator in the Community Care Licensing Division, Policy Development Bureau.